

**MSAC Faculty Association
Representative Council Meeting
November 3, 2020 via Zoom**

Present: Alvarez-Galvan, Amos, Anders, Avila, Birca, Boyer, Burman, Burnett, Caldwell, Calzada, Chan, Chen, Christ, Crichlow, Cridland, Engisch, Epsy, Esslinger, Ezzell, Greenberg, Heard, Holbert, Hood, Howell, Hughey, James-Perez, Jones, Kirchgraber, Knapp, Komrosky, Kunkler, Lawton, Laverty, Lopez, Madrid, Martinez, McIntosh, McLaughlin, Meyer, Miho, Mullane, Nakamura, Olds, Pascoe, Ponce, Rivera, Rojas, Roueintan, Scott, Sholars, Straw, Summers, Uyeki, Ward, Wasson, Wolf, Wood, Woolery.

Absent: Aguilar, Berch, Condra, Daland, Foisia, Garcia, Hamby, Kaljumagi, Klein, Landeros LoPiccolo, Luther, McKinney, Miller, Necke, Ngo, Nixon, Padilla, Page, Pellitteri, Pham, Piluso, Ramirez, Richardson, Rinaldi, Romero, Shiff, Stringfellow, Thomas, Uranga, Velasquez, Virgen, Zine.

Guests: Davis, Dokter, Estes, Greco, Impara, McKee, Metter, Quinn.

I. Call to Order and Approval of the Agenda

President Joan Sholars called the meeting to order and the Agenda was approved with flexibility at 11:35 a.m.

II. Approval of Minutes

The minutes of October 6, 2020 were approved as written.

III. President's Report – Joan Sholars

A. Election Day! – Today is Election Day! If you have not voted, please vote. If the community college where you live is having an election for their Board of Trustees, please do your research to find out who the faculty support. For our Board of Trustees election, the FA supports Peter Hidalgo for Area 1 and Jay Chen for Area 5. We did not endorse a single candidate for Area 7. Please vote “Yes” on Proposition 15. It will add about \$14.7M to our budget annually.

B. Negotiating Team 2020 - 2021 – The 2020 -2021 Negotiating Team consists of Joan Sholars, Emily Woolery, Sandy Esslinger, and Robin Devitt (CTA Staff). Vicki Greco and Herschel Greenberg serve as shadows Resources and researchers are Maria Davis, Judy Lawton, Tamra Horton and Linda Chan Other resources used as needed are Carol Impara, Catherine McKee, Chisa Uyeki, Antoine Thomas, Rita Page and Kelly Rivera. More diversity is needed on the team. If anyone is interested in learning about negotiations and getting involved, please contact Joan.

C. Coming Back to Campus – Dr. Scroggins believes that we could be placed on a less restrictive level by the end of the year. This will allow for some faculty that have not been able to teach their classes at all due to COVID might be able to return to classes in the spring. There is a workgroup that is studying the situation and we have faculty on the workgroup. The faculty members of the group will report to Rep Council at the December meeting. No faculty member will be forced to return to campus.

D. Side Letter – The FA and the District worked on a side letter for COVID leave for the spring. Since neither the state nor the federal government have passed any additional bail out monies, the district and the FA have agreed to having 2/3 leave paid by the district for COVID related issues (child care, illness, etc.). The other 1/3 will need to be out of sick leave or a reduced workload.

IV. Vice President's Report – Emily Woolery

A. Board of Trustees – The BoT met on October 14. They heard informational reports on Latinx and Intertribal Report, Enrollment Management, 2020-21 Adopted Budget. They approved the Agreement with the Los Angeles and Orange Counties Building and Construction Trades Council and the Signatory Craft Councils and Unions for Capital Construction and Major Renovation Projects. The BoT meets again on November 4. All contributions were sent and received by the four BoT candidates, who the FA endorses or supports.

B. President's Advisory Council (PAC) – PAC met on October 28 and heard updates from Accreditation Steering Committee, Budget Committee, Campus Equity and Diversity Committee, and Institutional Effectiveness Committee. The next meeting is Expanded PAC on November 18.

C. Student CTA (SCTA) – SCTA will hold a club meeting on October 27, where they will meet leaders from the statewide SCTA.

D. Meetings Attended – Joan and Emily attended the following meetings: • October 5: Monthly Meeting with President; • October 7: Meeting with Human Resources and Academic Senate regarding Title 5 changes; • October 7: Monthly Meeting with School of Continuing Education; • October 8, 22: Academic Senate Executive Board Meeting; • October 8, 15, 22: Weekly Meeting with Human Resources; • October 12: Constituent BoT Agenda Review with President; • October 15: Bi-Monthly Meeting with Vice President, Instruction; • October 15, 29: Full Academic Senate; • October 26: Flex Day Joint Task Force Meeting; • October 30: Equity Summit

F. Grievance Report – The following Grievance Report was given: 1.) CTA is handling arbitration for a full-time probationary faculty, whose tenure was denied.; 2.) An adjunct faculty member submitted a complaint against their division. HR is conducting an investigation; 3.) A full-time faculty member seeks support in clarifying their job duties: i.) A Level 3 grievance was submitted on behalf of faculty. It was denied, ii.) A Level 4 grievance was submitted. It was denied, iii. FA supported arbitration, iv.) FA and District agreed to mediation. 4.) Adjunct faculty are concerned about loss of sections in fall 2020, including lack of clear criteria for assignments and loss of students due to COVID. i.) FA filed a Level 3 grievance was submitted. It was denied, ii. A Level 4 grievance was submitted. The District is willing to compensate faculty for lost wages and the FA is gathering information; 5.) Adjunct faculty submitted a complaint against the manager. HR is conducting an investigation. FA and faculty met with Dr. Mahon; 6.) Adjunct faculty identified safety concerns with teaching lab activities from home. FA and faculty met with Dr. Scroggins; 7.) Faculty on Salary & Leaves Committee identified problems with the District fulfilling professional growth increment based upon date of completion of activities, i.) FA filed a Level 3 grievance. It was denied, ii.) FA filed a Level 4 grievance. FA is doing research in support of this grievance; 8.) An adjunct faculty member expressed concern with salary placement, i.) FA filed a Level 3 grievance. The District agreed to compensate the professor retroactively and conduct an audit to determine if other adjunct professors are owed retroactive compensation; 9.) An adjunct faculty requested the PhD stipend. The FA is working with the District on signing a side letter for this professor; 10.) A manager raised a question about combining Canvas shells for lecture/lab courses. FA is doing research on this question; 11.) A professor filed a Level 1 grievance regarding a special evaluation. A meeting is scheduled with the District; 12.) FA is participating in interactive meetings with full-time professors.

V. Treasurer's Report – Linda Chan

Linda Chan reviewed the September 1, 2020 – October 27, 2020 Treasurer's report. She stated that we have not yet received the bank statement that should reflect the Dues and Agency Fees installment. All Political Action donations have been paid out including funds for Fabian Pavon. Treasurer Chan also stated that she will be meeting with Professional Financial Services who do our payroll and payroll taxes to start the process of filing our annual 990 form on Monday, November 2nd. The Budget Committee will be meeting to review and propose a possible updated budget.

VI. Academic Senate Report – Chisa Uyeki

A. Appointments – Senator at Large, Lani Ruh (Kinesiology), elected to complete 2020-2021 term Noncredit Data Coach, Dr. Laura Espinoza Rodriguez, School of Continuing Education- Vocational Reentry/ AWD/ Adjunct Instructor and Counselor, 2 year appointment, 6 LHE Annually. Career Education Coordinator, Joshua Christ (Theater) 2 year appointment. Cranium Cafe, Online Counseling Faculty Facilitator, Luis Echeverria Newberry (1 LHE overload reassignment). Accreditation Committee, L.E. Foisia, to fill designated position for Noncredit faculty, 2020-2023. Basic Needs Committee, Rita Page (History) (2020 for fall, term continues) Racial Justice TF, James Zollicoffer, Jr. (Music). Institutional Effectiveness Committee, Landry Chaplot (Adult Basic Ed) to fill designated position for Noncredit faculty. Police and Campus Safety Advisory Committee, Michelle Shear (Dance) 2020-2023. Retention & Persistence Committee, Julie Cortez (Access) 2020-2021. Students of Distinction Committee, Martha Hall (Math) 2020-2023. Student Preparation, Equity, and Achievement Council,

Briseida Ramirez-Catalan (AWD). Textbook & Instructional Materials Committee, Allie Frickert-Murashige (History) Member fall 2020, Co-Chair Sp 21-23. APPOINTMENTS FOR INFORMATION (NOT FOR CONFIRMATION) Search & Selection Committee for Manager, Academic Support Coordination: Amrik Dua (Business Administration) in addition to already announced CLS Ferguson (Communication) and John Miller (Physics & Engineering). Chief Technology Officer Search & Selection Committee, Jean Metter (Nutrition), Danny Cantrell (Comm), and Vic Zamora (CIS)

B. Senate Action – We changed the time for full Senate meetings because we have not been able to complete the work of the Senate in an hour and half. We have extended the meeting by twenty-five minutes from 11:15-1:10.

C. Textbook Rentals – Textbook Rental Please share with your students who may be using rental textbooks that they will have the option to return their rental textbook in-person at the bookstore during Finals week, December 7-11, 2020 from 8am-3pm. Alternatively, students can return their books by mail (requires printing a mailing label & paying \$5 shipping).

D. Fall 2020 Equity Summit – Committee & Council Openings for Faculty The list of openings for faculty on campus committees is available at this link: <https://tinyurl.com/ASCmtApt> if you are interested in a committee or multiple committees please fill out this interest form.

E. PIE Team to Committee – PIE Team to Committee, 10/9/20 The PIE Team, which has been operating informally as a working group, is being proposed as a subcommittee of Institutional Effectiveness Committee. It has essentially been operating as a subcommittee already but this will solidify the membership.

F. Equivalency, 10/12/20 – Equivalency met and accepted a recommendation from Nathan Tharp to grant an equivalency based on eminence and experience for a potential part-time faculty member.

G. CCC Equity Leadership Alliance: Implicit Bias 10/12/20 – Shiloh Blacksher and Chisa were the faculty who attended the October e-convening of the CCC Equity Leadership Alliance. Dr. Julie Posselt from USC presented on implicit bias and how it impacts decision making, and how this plays out in society. For Chisa's work and her role both as Senate president and as a faculty, Chisa found her discussion of "priming" which can help us make quicker connections, but it can also lead us to make biased connections as short cuts. We can avoid this by being aware of it, anticipating it, and by supplanting stereotypical information with truths about equity. She also stated a number of times that biases are more apt to surface in decision making when we are cold, hungry, tired, or stressed. Some ways to reduce implicit bias which she shared include: devoting adequate time, use a rubric or evaluation form, appoint diverse groups and encourage maximum participation, and be prepared to explain your decisions.

H. Emergency Grants for Students With Critical Needs – Emergency Grants for Students with critical needs are available. There is only \$50,000 available this fall, so the distribution will be handled differently. If you become aware of a student in need you asked to refer the student (please see attachment with referral steps). The link will not be posted in an attempt to distribute the limited funds to high need students. To make a referral, you will need to complete the 3 CARES Emergency Grant Referral Form at <https://www.mtsac.edu/financialaid/forms/2021/fa-cares-actreferral-form.pdf>

I. CCC Equity Leadership Alliance – A Core Planning Team will coordinate the leadership and will include about 6 members. A larger Steering Committee, with 6 faculty (Krysten DeWilde, Lance Heard, Kelly Rivera, Bernie Somers, April Telez, and Chisato Uyeki) as well as Managers, Classified, and students will be involved in ensuring information and strategies that come out of the e-convenings are routed appropriately to integrate them through the existing shared governance structure. Each e-convening will be attended by a 5-person team from Mt. SAC which will include one of the Steering Committee faculty and another faculty or two.

J. Project Labor Agreement and MOU on Multi-Craft Core Curriculum – Academic Senate met with Board of Trustees President Laura Santos to discuss two items on the 10/14/2020 Board agenda. [Thank you to Joan for arranging the meeting.] The Board passed a Project Labor Agreement, but at our request postponed an MOU to implement a developed curriculum (Multi-Craft Core Curriculum or MC3) for a pre-apprenticeship program.

PLAs can provide opportunities for bridging students from classroom and lab learning to on-the-job apprenticeships. However, it is important that established curriculum processes are followed, and therefore we asked the Board to wait for a recommendation from faculty before approving the curriculum. I will be meeting with faculty in disciplines that could be impacted.

K. AMAC 10/5/20 – Rosa Royce presented a on changes to the SEAP Budget Structure. A longer version of the same presentation was included in Cabinet Notes a few weeks ago. The administration contends that the focus of this work was on consolidating the funding sources and organizing the funds in a manner that ensure compliance and easier management and reporting. Lance, Kelly, and Chisa believe that the changes constitute changes in budget planning and processes and therefore, should have been brought to the Budget committee and faculty should have been included in the work. There was also discussion of the development of a budget process for allocation of carryover budgets. We were assured that this would be done through SPEAC.

L. Retroactive Conversion of Fs to NPs – Per a request at Senate Exec we requested exploration of retroactive conversion of Fs to NPs for spring and summer 2020. Dr. Scroggins reported that following an extensive review with IT and it will not be possible. Comparing Fs from 2019 and 2020 shows that most Fs converted to EW as we hoped students would.

VII Adjunct Faculty Advisory Committee – Herschel Greenberg/Judy Lawton

A. AFAC 10-20-20 Meeting – The AFAC met on 10-20-20 from 11:30am – 1pm via Zoom.

B. Adjunct Evaluating Adjunct Pilot Program – Joan dropped in and asked us to consider a plan for a pilot program regarding adjunct evaluating other adjunct. AFAC will plan criteria and guidelines at our next meeting (it will be first on our agenda).

C. Adjunct Seniority List – HR has released the list of all instructors and their hire date. We are planning to send an email reminding all adjunct to verify this information on HR's website (email has been prepared). We will also create a flier reminding all adjunct to check this information. The counseling department reported incorrect information and some adjunct were not even in the database. Lisa Romo is our contact person and will fix any errors.

D. Evaluations Side Letter – Side letter regarding evaluations has been added to our Canvas shell. Current and future side letters will be added as well.

E. AFAC Workshop – AFAC voted to upload the workshop to our Canvas shell despite some incorrect information. The video will be uploaded later in the week.

F. Class Cap Exceeded – The business department reported that enrollment reached 36 students per class (the cap is 30). Rather than offer new sections to make up this difference, instructors took on more students.

G. Next AFAC Meeting – Our next AFAC meeting is on Nov. 17th at 11:30 am via Zoom.

VIII. CCA District J – Luisa Howell

A. CCA President's Fall 2020 Report – The following is a summary of the CCA President's Report: 1.) Winter CCA Conference scheduled for 1/ 29-31 in San Diego. May move to virtual format. Chapter presidents invited to attend CCA Board meeting from 12:30 – 4 p.m. on the 29th; 2.) President Kaljumagi & Vice President Wahbe solicit invitations to visit local chapters virtually to encourage communication and foster participation with local chapters; 3.) The first all-CCA member monthly email was sent out on March 24. You are encouraged to reach out to fellow members and encourage them to subscribe: <https://actionnetwork.org/forms/sign-up-for-ccas-action-network-update>; 4.) For anyone interested CCA Leadership Zoom meetings take place on the 4th Wed. of each month through May from 5 – 6 p.m. –November and December meetings will be on the 2nd Wed. So far the topics included have been: information on elections, conferences, grants, disability insurance, negotiation guides, Undocumented Student Action Week, and Proposition 15. Signup information is available at the CCA4us website; 5.) President Kaljumagi encouraged local presidents, CCA Board members and State Council delegates to attend

service center general meetings as it can be helpful in developing and fostering relationships with K-12 that can be helpful in board of trustee elections & increases CCA's visibility & participation in CTA's work; 6.) Chancellor's Office Proposed Budget was determined by unmet needs and mission critical work last year. It included apportionments for "current obligations and provide cost adjustments" –COLA, protection from property tax shortfalls, implementation of Faculty & Staff Diversity Taskforce Recommendation, which provided for faculty hiring and one-time pilot fellowship program to improve faculty diversity. CCA will advocate for additional funds for part-time faculty. Next year's budget is not anticipated to be a very positive one; 7.) An extensive and detailed report as given re: Calbright College; 8.) CTA's State Council meetings in June and October were virtual, via WebEx. A brief CTA State Council Report was given wherein, among other CCA members who had worked with CTA, appreciation was expressed for Joan Sholars service and representation on CTA's State Council; 9.) CTA Board meeting switch to online as of March and is expected to remain online at least until November 9. District Q (CCA) has had the lowest drop of any CTA district in 2 years– 42. Several California NEA Board directors were disappointed due to the rapid NEA move to support Joe Biden as there was a large number of Sanders' supporters in California. CTA Legal continues assisting No. Orange CCD in the case of the District bypassing union negotiations. CA Supreme Court found that it was acceptable for pension plans to implement anti-spiking policies. CA Court of Appeals found that STRS may recover overpayments within three (3) years of becoming aware. The LA County Superior Court found that adult education programs that were funded through CAEP are categorical programs, thus, teachers funded by the programs are temporary employees; 10.) CTA continues to provide assistance to CCA locals. The CTA printed pocket calendar has been discontinued. Local chapters are asked to maintain their usual meeting schedule. When meetings are virtual, all votes must be roll call votes unless there is no objection; 11.) A very detail Board of Governor's report was provided; 12.) President Kaljumagi also provided a very detailed Narrative Report – April to September. The narrative described his activities during that period. Following the narrative were descriptions of the nature of the different groups that he had met with as well as their function, including also membership details; 13.) This narrative was followed by a very thorough Consultation Council Report.

B. CCA Vice President's Report – The following is a summary of the CCA Vice President's Report: 1.) Vice President's Wahbe's report listed her activities throughout the months of August and September. It listed many meetings attended as well as numerous committee meetings; 2.) Also listed was an interruption to her busy calendar with evacuation orders due to the wildfires in the Angeles National Forest and a previously scheduled surgery.

C. CCA Secretary and Treasurer's Reports – CCA Secretary John Sullivan provided a summary of his activities during the summer break. CCA Treasurer Johnathan Ausubel provided a narrative of his summer activities as well as a 12-month Treasurer's report ending on August 31st, 2020.

D. Directors-at-Large, Liaison and Committee Reports – The following is a summary of the Directors-at-Large, Liaison and Committee Reports: 1.) Butte College: No FT & PT faculty evaluations this fall, student evaluations changed to be more lenient. Probationary faculty will be evaluated; 2.) Hartnell is addressing ethics issues with administration; Gavilan nears conclusion of negotiations; 3.) Imperial Valley PT reports excitement over the visit by President Kaljumagi & Vice Pres. Wahbe; 4.) Rio Hondo investigating a Title 9/Sexual Harassment claim against the President of the BOT Oscar Valladaras & college investigating fraud charges against former president Arturo Reyes; 5.) Mira Costa has agreed to compensate PT faculty for course conversion, approximately. \$500 per faculty; 6.) Luisa Howell provided a written report and reported Mt. SAC's FA leadership displeasure with the conference being spread across 4 days as it precluded leadership participation; 7.) NEA Higher Education director – Julius Thomas: Leadership focusing on the Presidential Election; 8.) SCTA Board met & expressed a desire to collaborate with CCA and to set a long-term goal of working toward goals rooted in social justice, racial equity & eradicating culture of white supremacy.

E. Action Items – 1.) CCA part time/adjunct faculty members service on Council committees who are not otherwise compensated by NEA/CTA/CCA shall receive a \$50 stipend per meeting attended. 2.) Membership Grant limit increased from \$3,000 to \$5,000

IX. Negotiations – Joan Sholars

Joan stated that the negotiations teams met on Monday, October 26. The FA team presented our proposal for Article 8: Health and Welfare Benefits. The District did not ask any questions and will tentatively respond at our next meeting on November 9. We spent most of our time on Monday discussing our ground rules and how the agenda is set up. According to the ground rules: "The agenda for the following meeting will be set at the end of each

meeting. Once the agenda is set, it cannot be amended without mutual agreement. If either party is not prepared for an agenda item, they will notify the other party as soon as possible.” The District interprets this as every agenda item must be mutually agreed upon before it is placed on the agenda while the FA interprets that once the agenda is set, to change the agenda takes mutual agreement. This did not get settled. The District does not want to open any other articles until the open articles have been settled. The problem, as Joan sees it, is that the FA won’t agree to anything until we know what faculty can get in return. The FA will not agree to any TA or to finalize an article until and unless we are sure that the district will be giving the faculty something in return. At the end of the meeting, Dr. Scroggins mentioned that the District is waiting for the January budget but Joan reminded him that these negotiations are for this year and next year’s budget, while important for future negotiations, should not hold up these negotiations. On the agenda for the November 9 negotiation session is: Article 2: Term of agreement (me too clause) Article 10: Workload. Article 18.L.: evaluations or adjunct without rehire rights. Article 13: Distance Learning Article 8: Health Benefits. The next negotiation meeting is scheduled for December 14 and the rest of Article 18 will be on the agenda at that time.. We worked on scheduling negotiation dates for the spring starting with January 11 and every two weeks after that. Some dates might need to change but the District did state that our goal is at least two Monday meetings a month.

X. Old Business – Action Items

A. Hiring APs – The faculty hiring apps have been pulled by Dr. Scroggins. Joan pulled the Executive Employee hiring app due to the fact that the FA was promised at least one faculty position on the committee and as it stands, that is not proposed.

B. Title IX AP 3434 – Responding to Harassment Based on Sex – AP 3434 addresses responding to sexual harassment and gives direction as to college investigation procedures. A motion to NOT support AP 3434 was made, seconded and carried due to the lack of support for the offended individual as well as not enough restrictions on the qualifications of the decision makers. The FA is looking into possibly creating a “Dual Process” that runs parallel to the Title IX AP 3434 process.

C. 2020 – 2021 FA Goals – The following are the Goals for 2020 – 2021: 1) Membership Engagement (training can be part of Membership Engagement); 2) Create an Organization Committee to connect and build relationships with faculty; and 3) Support Negotiations. A motion was made, seconded and carried to postpone until the next Representative Council meeting on December 1, 2020.

D. Social Injustice Issues – 2016 Resolution – Police On Campus – On April 5, 2016, the FA Representative Council passed a resolution to not support the presence of a Campus Police Department. Students at the BoT meeting expressed concerns about the Campus Police carrying firearms. During these times of social injustice, should the FA bring this resolution back and/or possibly strengthen it to reaffirm our position? Faculty requested time to take this back to their departments for their input. A motion was made, seconded and carried to postpone until the next Representative Council meeting on December 1, 2020.

XI. New Business – Discussion Items – None

XII. Other Reports

Time did not allow for reports from PGI or SCOne/CTA State Council. Beta Meyer stated that the Back to Campus Taskforce report has been postponed.

XIII. Announcements

A. Next Executive Board Meeting – Tuesday, November 10th 11:30 am – 1:00 pm via Zoom.

B. Next Adjunct Advisory Committee Meeting – Tuesday, November 17th 11:30 am – 1:00 pm via Zoom.

C. Next Representative Council Meeting – Tuesday, December 1st, 11:30 am – 1:00 pm via Zoom.

XIV. Adjournment

The meeting was adjourned at 1:03 p.m.
The minutes were respectfully submitted by Liz Ward, Faculty Association