

FA Council Meeting

September 25, 2015

Members Present:

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|--------------------|-------------------------------|
| 1. Brad Byrom | 9. Steve Isachsen |
| 2. Paul Clarke | 10. Richard Ma |
| 3. Jonathan Cole | 11. Dara Perales |
| 4. Julie Cord | 12. Erika Peters |
| 5. Lelsey Doig | 13. Brent Pickett |
| 6. Scott Fallstrom | 14. Nancy Schaefer |
| 7. Mary Gross | 15. Jeanine Sepulveda (12:53) |
| 8. Christina Hata | 16. Mark Whitney |

Members Absent: Andrew Layton, Thao Ha, Herschel Stern, Steve Vail

Reports

FA President Update

- FA is working with District on MOUs and side letters documenting existing compensation for various types non-contractual work
 - Consensus that FA Council could vote electronically on MOUs and side letters constituting minor changes.
- Information is going out to chairs about new travel agreement. There seems to be better shared understanding with faculty and administration as to how process will work.
- Byrom sent message to constituent leaders on campus regarding possible bond election (student trustee, classified, associated faculty union, academic administrators).
 - It makes sense to have each group identify 1-2 leaders to act as steering committee and coordinate efforts.

Treasurer/Benefits Update

- District offered plans to uninsured employees as required under the Affordable Care Act. Plans were offered to 16 employees, 4 elected to choose them.
- The PPO plan is changing behavioral health provider.
- Orthodontia has been added to the PPO plan.
- A surplus of \$350-400k will be roll into benefits surplus account to account for future
- The "Cadillac tax" could impact PPO members in 2018.

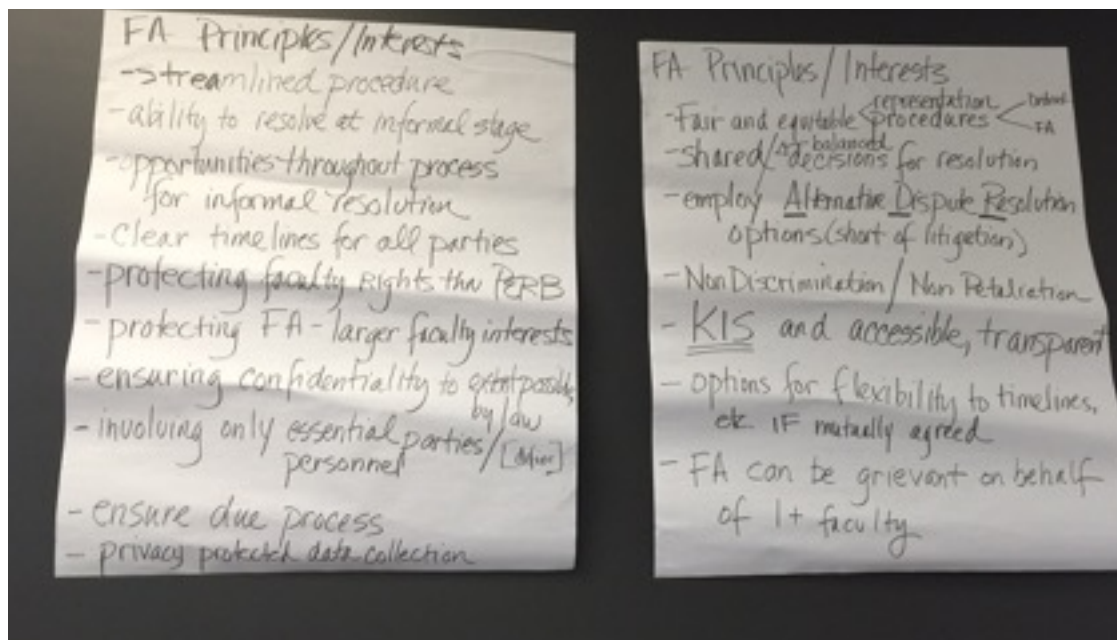
FSA Update

- A message has been sent to chairs summarizing the FSAs approved in 2008 and asking for any recommendations for updates by October 16.
- We will need to establish a process for maintaining and updating FSAs, including determining competency for any new FSAs that are established.
- The updated list minimum qualifications for FSAs
- Faculty in the current Computer Information Systems FSA would like to propose separate FSAs corresponding to the new departments, but are concerned about losing employment rights.
 - Council discussed the possibility of a “grandfathered” FSA for those who currently hold it.

Process for Negotiating Hold-Over Items

- Hold-over items include class size maxima and the new grievance procedure.
- These are significant items that will probably require a full faculty vote (electronic)
- Role of Council in the process is to provide general parameters to committees/negotiation teams
 - Teams need to be given flexibility to negotiate changes as necessary within the broad parameters set by Council.

Grievance Policy Committee



- Mary posted set of principles
 - includes balance—not all decisions rest with District
 - generally folks felt there was a lot of common interest
 - alternate dispute resolution could be professional mediation
- benefit to having informal advisement, solving problems early
- District wanted “least expensive” solution in terms of resources as well as moneys
- binding arbitration
 - strongly advised by our counsel
 - but binding arbitration can reduce further rights to file unfair labor practice complaint though PERB
 - we’ve tried to include it in a way that does not tie hands—we think it’s still on the table
 - Brad: both parties have to agree in order to proceed to binding arbitration
- process does not allow for faculty/faculty grievances
 - faculty member could grieve against dean of faculty member
- current policy refers to informal faculty/faculty, staff/staff issues: we are not negotiating that, we are only negotiating working conditions
 - it must be a faculty member against the District
 - we don’t see Ombuds as being “super-engaged” in this, but we could assist faculty members find assistance in other areas on campus
 - go through lowest-level administrator, though we might encourage faculty member to talk to the other faculty
- must clarify violation of contract, policy/procedure, practice
- forms must be delivered to FA and District at same time

Class Size Maxima

- just getting started, didn't meet over summer
- first meeting today
 - Jonathan Fohrman, Alketa Wojcik, Al Taccone, Carlos Lopez designated as District team
- Charlie came to first meeting, brought secretary
 - indicated he wanted to add associate faculty
- process is defined in contract—this is violation
- unable to make any progress today
 - probably won't have more than three more meetings this semester
- not clear where we go from here
- Charlie admitted that FA might just say no
 - but asked Brad to admit that approach was rational
- Brad asked for fixed membership, co-chairs, agenda; secretary would share notes within 48 hours of meeting
- old process should have included documentation of levels, but this was not documented
- some institutions (e.g. CSUSM) have different maxima for full- and part-time faculty
- could just go back to old process—not best idea
- Questions?
 - how much input should oversight group have?
 - at some institutions it's chairs, others' it's union,
 - Steve: I would argue it should be in C&P
 - Jeanine: depending on who is in C&P, some times maxima are not approved; it should be a big group, perhaps bigger than C&P
 - is consistency the most important thing? or are we OK with some courses that are similar having substantially different maxima?
 - this would be large task
 - Brent: it will be hard to compare courses to courses: there may be reasons for differences, we need to be able to create exceptions
 - Brad: deans will always have authority to go lower
 - do we tie class size to pedagogy? demand? facilities?
 - Charlie: important that class sizes be flexible so that limits can be raised for larger rooms
 - Erika: we won't throw away old list, all we need is way to modify list
 - Brad: but we do have some odd things, like departments that had limit of 20 now have that applied to straight lecture courses
 - do we want to take away historical argument that's favorable
 - administration is unlikely to agree to let C&P do it
- one model would be something like workload review process
 - department submits request for change
 - dean writes memo
 - comes to FA
 - VP signs off
 - probably wouldn't be same: perhaps from department to C&P?
- important that we don't compare our class sizes to other colleges
 - we have research that shows no real consistent pattern at other colleges
- Steve: best analogy is LHE assigned to a course: we let C&P decide on lecture/lab provision
- would all courses need to justify their maxima, or only those where change is requested

- dean could point out where size needs to be changed
 - C&P members would see discussion in the trail
- scheduling is now driven more by need to find room space than by pedagogy or other considerations

Summary

- looking for consistency in process, not necessarily consistency in actual course limits
 - no desire for standardized levels?
 - Brad: little chance to get limits of large classes lowered if process doesn't allow small class limits to be raised
 - Mark: isn't equity a concern?
 - Brad: what I'm hearing is that maintaining existing maxima is most important
 - Lesley: I would like a little equity
 - I don't want more dean/VP participation, but dean should be able to flag low course limit proposals for further justification
 - alternatives are free-flow narrative, or standardized rubric to argue for changes
 - if we go to a rubric, it would be hard to avoid significant changes
 - if we use a rubric, also need to provide for narrative for factors not included in rubric
- what about appeals? would they come to FA?
 - Dara: where it goes would depend on whether it's based on pedagogy or workload
- Paul: this will put a lot of stress on C&P and its members
- Paul: would appeal go to larger or smaller body?
 - e.g. let smaller group of C&P make initial decision, appeals go to full committee
- Steve: I wouldn't support blanket application of rubric all at once, but changes should be made over six-year review cycle
- Brad: this doesn't lend itself well to broad principle, we ended up talking about details; be aware that final proposal may not reflect all of this discussion
- Erika: any protection against arbitrary raising of maxima—need to be sure process provides protection