



Council of Representatives

Approved Meeting Minutes

February 12, 2009, 3:00 – 4:30 p.m.
Room # 5402 Cuesta College

Attendance according to the sign-in page:

Academic Skills/DSPS

(None)

Biological Sciences

Nancy Mann (proxy)
Ron Ruppert

Business Education

Marilyne Cleeves
Jack Sullivan

Counseling

None

Engineering and Technology

David Fernandez

English

June Beck

English as a Second Language

Madeline Medeiros

Fine Arts

Michael Burns

Health Center

(None)

Human Development

Bailey Drechsler

Languages and Communication

Tony Rector-Cavagnaro

Library Services

Kevin Bontenbal

Mathematics

Denise Chellsen
Pat Hughes
Larry Johnston (proxy)
Barbara McGee

Nursing / Allied Health

Mary Ann Ambrose (NCC)
Cathy Cyr

Performing Arts

(none)

Physical Education

None

Physical Sciences

Debra Stakes

Social Sciences

Peter Dill
Kathryn Logan (NCC)
Mark Weber

Student Life and Leadership & Health Center

(None)

Workforce Development

(None)

CCFT Executive Board

Allison Merzon – President
Peet Cocke – Vice-President
Mark Tomes – Sec.-Treas.
Victor Krulikowski –
Co-Grievance Officer
Peggy Wright –
Co-Grievance Officer
Andrea Devitt – COPE Chair

Visitors

Beth-Ann Dumas –
Academic Senate
Steve Leone –
Academic Senate



Merzon opened the meeting at 3:05 p.m. after a quorum was reached. An additional “other” was added to the agenda after approval of the minutes.

1. **Approval of Minutes**

A motion was made (Rector-Cavagnaro/Stakes) to approve the draft minutes from the January 29, 2009 Council of Representatives meeting. It was approved unanimously.

11a. **Other, Part I**

Devitt presented an analysis of the salary comparisons from the current 14-district “comparable district” list, using the Year 22, highest non-doctorate step and column cell as a reference point. She noted that using the very highest step and column cell is misleading because some districts have more steps (including one with 45 years) or do not have a column for doctorate degrees (paying a stipend for a doctorate degree, instead).

Using these figures, the Cuesta College full-time faculty salary schedule places faculty members at almost exactly the median of the 14 districts we currently use for comparison. In addition, other data that she provided shows Cuesta College ranking from number 51 to 61 (of 73 districts) at other places in the salary schedule. Further review of the current comparable district list, as well as a review of other districts with which we might want to compare ourselves, appears in order.

2. **Budget/Summer Schedule**

Merzon gave a brief history of the summer schedule reduction idea, stating that it first came from the Vice President of Student Learning last month at a joint meeting of the Shared Governance and Planning and Budget committees, at which the original agenda was to brainstorm budget reduction ideas. A complete shutdown of the summer schedule, including shutting down most buildings on campus and moving offices temporarily in the High Tech Center/Classroom Building, was presented as the only option for addressing the 2008-2009 budget shortfall, allegedly saving the college \$500,000. It also was presented as needing immediate attention at the joint meeting, due to the urgency of making a decision regarding the upcoming summer session. It quickly became apparent at the meeting that completely shutting down the summer session was not feasible: many buildings need to remain open, personnel were not going to fit in the HTC, some programs are year-round, and other reasons.

The campus unions and Academic Senate quickly acted to restore the shared governance process, agendaizing the summer reduction idea to the next joint Shared Governance/Planning and Budget Committee meeting and using constituent group processes to gather ideas for budget reductions.

The Council discussed various issues surrounding a reduction to the summer schedule, as well as ideas for reducing the budget:

- Eliminate the Office of Professional Development.
- The administration has to negotiate with faculty regarding many items, but not the number of courses it offers; hence, eliminating summer session and its large budget is enticing to the administration. However, cutting the summer session would necessitate negotiating with the classified union.
- If the summer schedule is cut, balance it between the North County Campus and the SLO campus (do not shut down the entire NCC summer session).
- Check unemployment costs to the district (one member stated that these costs are dependent upon an employer's layoff rate).
- Cut across all divisions, let division chairs make decisions regarding which sections are cut, and make sure the cuts are large enough to make a difference.
- Cut night classes to save more energy.
- Banner software data is not accurate; we won't know until April what the real FTES is. Hence, the VP of Administrative Services is not embracing the idea of cutting summer school right now.
- Cal Poly is cutting their summer school, so we are going to get more students.
- Summer school FTES can be split creatively between the previous and subsequent academic years.
- Do not cut summer school more than 50%.
- The college President and Vice Presidents take two weeks off without pay; deans and other managers take four weeks off without pay.
- Allow load banking of summer school (and perhaps double the amount of time load banked as an incentive), and extend the limit to use banked load to over 2 years.
- Administrators should be taking their vacation time instead of working and getting paid for it.
- Have no MWF classes this summer; stay open only TWR.
- Why is the administration not taking any cuts? Why are all the cuts coming from faculty and classified?
- Sue the Board of Trustees and previous President(s) for mismanagement.
- Have businesses sponsor a classroom; they would get a plaque on the door.
- Use the Guiding Principles that the Planning and Budget Committee came up with, particularly the guide that cuts would occur farthest from students.
- Use the reserve for salaries, if need be.
- Ensure that categorical programs keep all their funds, and keep district matching funds going to the categorical programs.
- Do not eliminate summer money-making programs, such as College for Kids and the pool.
- Eliminate free food and drinks at Cuesta events, such as on Opening Day.
- Separate expenses reduction strategies from FTES issues.
- Summer school could be considered not "on-going" since it is discretionary, and hence, the reserve could be used for it (see Guiding Principle #14).

- If we reach 10,000 FTES, we could get \$1,000,000 in growth, but reaching that is nearly impossible to achieve.
- Think of continuing students as “our” students, and don’t cut their classes.
- Cal Poly students who come to Cuesta might end up staying and become “our” students.
- Administrator furloughs should occur before any cut is made to salaries.
- Talk of reducing hourly employees needs to be accompanied by more details, such as which ones are being discussed (readers, lab assistants, graders, etc.).
- Suspend travel budgets and professional development activities of the Board of Trustees.
- Do not support any cost-reduction strategy or summer session reduction without data that tells us how much it would cost.
- Any plan must be put into writing.
- Preserve large format classes; eliminate low enrollment courses.
- Provide incentives for instructors to allow more students in their classes.
- Even if Dave Pelham chooses to bypass the shared governance process, the faculty should still be involved to have as much influence as possible.
- We need data before decisions can be made.
- There are a lot of faculty – full-timers and part-timers - that are relying on summer classes to make their mortgage payments.
- If cuts are made to summer school, make them equitable, based on student needs, and so that all groups share the pain (including administrators).
- A summer session goal of 500 FTES would result in a 30% cut from last summer and would “save” \$350,000.
- No one has heard any faculty support for a 100% summer session cut.
- There still can be a prioritization of budget cuts without cutting any summer courses.

A summary of the most-often mentioned ideas was produced, without prioritization. Merzon will present this list with the statement that the Planning and Budget Committee’s Guiding Principles For Planning Mid-Year and Next-Year Budget Reductions should be adhered to. The Council short list included:

- Administrators take furloughs
 - Administrators use vacation time for vacation (no payments)
 - Eliminate the Professional Development Office
 - Eliminate the Board of Trustees extra allowances
- No more than a 15% cut in the summer session schedule, with the division chairs deciding which sections to cut

Council members were reminded to not expect this list to prevail; the administration has a history of doing whatever it wants.

The question was raised about whether there appears to be a long-term solution or plan to the budget crisis. One member said to expect hourly employees to be cut next year (which could become a workload issue, and hence

negotiable). Another noted that there was not a sense that the administration has any plan.

3. **CCFT Constitution/Bylaws Revision**

Tomes led a discussion of the draft Constitution. Members discussed the advantages and disadvantages of having staggered elections and lengthening the terms of the Executive Board members. Staggered elections currently mean elections every year, which could be ameliorated by lengthening the terms of the officers and chairs serving on the EB. Non-staggered elections could result in slates, which has its own advantages and disadvantages, including new leadership possibilities but also a lack of mentoring for positions. There was general agreement that avoiding elections every year was a worthy goal and that lengthening terms would address the difficulties of mastering the steep learning curve of union positions.

Council members discussed the composition of the Executive Board, as some members thought it might be too big in the draft Constitution. Some members questioned whether a representative from the North County Campus was needed, as most of the issues such a rep might bring to the EB were actually division issues. Some members responded that there are specific NCC issues, such as ants (working conditions) and access to resources. There was general agreement that a NCC rep could be part of the Council of Representatives, treating the NCC as a division.

4. **Part-Time Faculty Committee Chair Announcement**

Merzon reported that Marilyne Cleaves has been appointed as the Part-Time Faculty Committee Chair.

5. **Moving Smoking Area**

The Director of Physical Plant has asked for faculty input regarding a proposal to move the smoking area to outside "Cougar Park"; a map showing the current and proposed locations were provided with the meeting agenda. After discussion, there was general agreement that the new location would be better, although there was acclaim for moving the smoking area to across Highway One, as well.

6. **Negotiations Update**

Merzon reported that she and John Fetcho, President of the Cuesta College Classified United Employees, met with Human Resources staff to discuss data mining. She also reported that, contrary to rumors circulating, there have been no discussions of salary cuts.

7. **Grievances Update**

Merzon sent a cease and desist letter to the district demanding that district agents stop discussing salary reduction plans with individual faculty members. Tomes reported that a manager told him that he (the manager) had thought of an idea for a graduated salary increase at a joint Shared Governance/Planning and Budget Committee meeting and, on the way out of the meeting, had shared it with a classified union officer. Merzon added that this same manager had apparently also

shared his plan and promoted it with some faculty members, and eventually it led to its being made public on a faculty listserv. The manager's actions can be construed as attempting to bargain with individual faculty members outside of the exclusive bargaining agent negotiation process and must cease immediately.

CCFT and the district have received the arbitrator's ruling on a long-running case; it was decided overwhelmingly in favor of the union. The faculty member who filed the grievance has been notified. Merzon soon will be sharing the details of the ruling that the union is allowed to share.

Wright reported that many minor issues have been settled with the district in the faculty's favor. Having respectful relationships with district management and staff has been very helpful in advocating for faculty members and settling issues before they get to a grievance stage.

8. **Treasurer's Report**

Tomes reported that the CCFT treasury has \$9003.23 in it and that it will decrease even more when we receive the next legal bill. The arbitrator's fee and legal expenses to review the ruling (noted above) probably will cost the union at least \$10,000. Answering a question, Tomes said that this particular case has cost the union so far a net amount (after receipt of legal defense grants) of about \$100,000.

The CCFT COPE account has \$1447.19 in it, with \$105 of that in a special Board of Trustees election account. COPE currently has 29 members donating a total of \$200/month, with \$68 of that per month going to the BOT account.

The cutting of 100 course sections in the Spring 2009 semester has resulted in a net loss of about \$1400 per month for CCFT. Costs have been increasing without an increase in income, and in fact, CCFT now has a loss of income. Tomes said he is very concerned about the financial health of the union.

9. **Committee Report**

COPE – Tomes reported that he attended the Tri-Counties Central Labor Council chapter meeting in San Luis Obispo on Tuesday, February 10, 2009. The labor activism he witnessed there was inspiring.

The San Luis Obispo city firefighters are fighting to keep binding arbitration in their contract. The City of San Luis Obispo will be discussing this issue and the possibility of a special election to eliminate it at their Tuesday, March 3, 2009 meeting. The firefighters are holding a large rally at the meeting and would like fellow unionists to join them. The meeting begins at 7:00 p.m.

The California Nurses Association, which has members at all the local hospitals, is supporting HR 676, John Conyers' single payer health insurance plan. They encourage everyone to help get this legislation passed.

Candidates are already jockeying for positions for the 2010 elections in our southern neighboring counties and at the state-wide level.

The Employee Free Choice Act (a piece of federal legislation) needs support. This legislation will prohibit employers and their agents from using unfair tactics to discourage, or even trying to prevent, law-abiding employees from joining unions.

Tomes said that he met with an Allan Hancock College part-time faculty union leader at the TCCLC meeting. That union is working hard to secure rights, salary, and working conditions that are similar to those at Cuesta College and other community colleges.

Communications – The next edition of the union newsletter will be coming out soon.

10. **Division Concerns/Issues**

Merzon reported that the Human Resources Office gave a student reporter copies of all of the faculty leave forms completed by faculty members in the Fall 2008 semester (in response to a Freedom of Information Act request). Faculty members' names had been blacked out, although their substitutes' and deans' names were not. Of 133,200 total teaching hours taught in the Fall 2009 semester, 939 hours were taken as leave, or 0.7%. This seems like a very small amount compared to the total hours.

11b. **Other, Part II**

Merzon reported that the ACCJC (accrediting agency) has put Cuesta College on Warning status. Its report listed nine areas that need to be addressed and numerous sub-areas, including giving the college President full authority to govern and many issues regarding student learning outcomes. There were no commendations. 22 other districts were also placed on Warning status, a large number overall considering there are only 73 districts in the state and not all of them were undergoing review by the ACCJC. Only four came off Warning status.

Council members expressed much dismay with the report and how the ACCJC is overstepping its bounds, is trying to micromanage the college, and apparently does not understand the college's rights and responsibilities, as outlined in Title V of the California Code of Regulations and AB 1725. Some members spoke of the need for the Cuesta College Board of Trustees, the Cuesta College administrators, and the boards and administrators of other districts to stand up to the accrediting agency and demand that they retract their Warning status and review issues only within its bailiwick. Also, complaints to the Department of Education should be written. Likewise, there was a suggestion that Cuesta College should move to another accrediting agency.

The joint CCFT/Academic Senate Distance Education Task Force is currently examining the evaluation process of distance education instructors, virtual office hours, and other issues.

The meeting was adjourned at 4:56 p.m.

Minutes respectfully submitted by Mark Tomes, Secretary-Treasurer.