



Council of Representatives

Approved Meeting Minutes

September 10, 2009, 3:00 – 4:30 p.m.
Room # 5402 Cuesta College

Attendance according to the sign-in page (p = present, a = absent):

Academic Skills/DSPS

(No elected rep)

Biological Sciences

Michael Holmes (p)
Nancy Mann (p)

Business Education

Marilyne Cleeves, proxy for
Michele McAustin (p)
Traci Robichaud (p)

Counseling

Dana Gough (a)
Julie Smith (p)

**Engineering and
Technology**

David Fernandez (p)

English

(No elected rep)

**English as a Second
Language**

(No elected rep)

Fine Arts

Douglas Highland (p)

Health Center

(No elected rep)

Human Development

Margie Perez-Sesser (p)

**Languages and
Communication**

John Arno (a)
Beth-Ann Dumas (p)
Tony Rector-Cavagnaro (a)

Library Services

Kevin Bontenbal (p)

Mathematics

Denise Chellsen (p)
Julie Hoffman (p)
Barbara McGee (a)
Jodi Meyer (p)

Nursing / Allied Health

Mary Ann Ambrose (p)
Cathy Cyr (p)

Performing Arts

bree valle (p)

Physical Education

Mike Napoli, proxy for
Brian Locher (p)

Physical Sciences

Debra Stakes (p)

Social Sciences

Peter Dill (p)
Kathryn Logan (p)
Mark Weber (a)

**Student Life and
Leadership & Health
Center**

(No elected rep)

Workforce Development

(No elected rep)

**Executive Board (non-
voting)**

Marilyne Cleeves, PT Fac. (p)
Peet Cocke, VP (p)
Andrea Devitt, COPE (p)
Victor Krulikowski, GO (p)
Allison Merzon, Pres. (p)
Mark Tomes, S-T (p)

Visitors

Dawn Brown, Human
Development
Michael Masterson,
Mathematics



Bontenbal opened the meeting at 3:08 p.m. when a quorum was reached. The meeting was chaired by Bontenbal.

1. **Approval of Minutes**

Bontenbal thanked Cleeves for making name cards for Council members.

A motion was made by Fernandez/Robichaud to approve the August 27, 2009 meeting minutes. It passed unanimously.

2. **CCFT Budget**

Tomes presented a draft CCFT 2009-2010 budget to the Council. It is balanced (equal amounts of income and expenses). The draft budget accounted for a 4.23% AFT per capita dues increase, a 2.43% CFT per capita dues increase, the Fall 2009 course cuts, and a projected (by Tomes, based on district discussions) 5% reduction in faculty in Spring 2010. The budget also includes reimbursement funds for one delegate to attend the AFT national convention in Seattle, WA in July, 2010. The budget proposal for release time for the CCFT President appears high partially because it accounts for three semesters; the district has not billed CCFT for the Spring 09 semester yet.

After projecting income and expenses for the 09-10 fiscal year, there appeared to be additional funds, so Tomes suggested applying them to release time for the CCFT President, Vice President, and Grievance Officer at increases of 20%, 10%, and 10%, respectively. Some of these increases cannot begin until the Spring 2010 semester since these faculty members already have classes in place. The increases in release time do not supplant funds for new legal cases, but as Tomes explained in response to a question, allowing more time for the officers to “run interference” and advocate for faculty members should reduce overall legal expenses.

Tomes noted that CFT has denied CCFT’s third legal defense grant proposal for a particular case, saying that CFT said it had reached its limit on grants for a particular case. AFT has not responded to inquiries regarding the third grant request, and Tomes was not optimistic about receiving it, particularly since AFT rarely approves grants that CFT denies.

There was discussion about compensating the part-time faculty member on the Negotiations Team at a higher rate. Tomes said that the budget proposal for this item appeared low because last week it looked like the district wanted to complete contract negotiations for 2008-2009 and slow down its bargaining schedule, resulting in fewer negotiation sessions and the need for compensation. However, this week the district and the CCFT Negotiations Team could not agree on terms to close out last year, much negotiations still needs to occur, and the district refused to repeat last year’s agreement to split the costs of having a part-time faculty member at the table. There was general agreement to increase the budget for that line item, including the rate of pay for the faculty member in that position, although no action was taken.

A motion was made (Robichaud/Dill) to approve the budget as presented. It was acknowledged that the Executive Board has authority to modify the budget

during the fiscal year and that the EB will increase the budget for the part-time faculty member on the Negotiations Team. The motion passed unanimously.

3. Secretary-Treasurer's Report

This item was tabled.

4. College Budget Update

Merzon reported that the Board of Trustees at its last meeting approved administrator, manager, and classified staff salary reductions (to be taken as furloughs). It also approved a \$29,000,000 Certificate of Participation (COPS) loan for buildings on the North County Campus (and refusing to add less than \$500,000 to the loan to save classified salary reductions). This loan will cost the district \$400,000 each year that it is paying off the loan and will bring the total amount that Cuesta owes in loans to \$37,000,000.

The BOT also approved layoffs for two of the nine positions slated for layoffs, asserting that both of these positions were in programs that were "in the red." Merzon noted that for a meeting about budgets, layoffs, and savings, very few actual numbers were present at the meeting. It is quite possible that the BOT violated the Brown Act by discussing the budget beforehand in closed session; it certainly appeared that they had discussed the budget proposals behind closed doors, given the limited discussion they had regarding the issues and the appearance of their minds already made up in open session.

The status of approximately \$70,000 available from the Professional Development Coordinator position being unfilled is not known. Also, it appears that the Cuesta Foundation will reimburse the district about \$96,000 to pay for half of the costs of keeping the Foundation Director and her assistant. The district has not asked the Foundation for a one-time grant of \$425,000 for this year's Banner licensing fee.

5. Negotiations Update

Merzon expressed her frustration that despite what appeared to be a commitment to Interest-Based Bargaining by the district last semester, the Cuesta attorney at the negotiations table reported the BOT's viewpoint that the district is only doing collective bargaining because the faculty have requested it and that unions who want to bargain should recruit volunteers from the ranks of faculty members.

Peet Cocke was approved to be on the CCFT Negotiations Team by the Executive Board at its last meeting, as well as keeping the current members (Merzon, Tomes, Holmes, and Shannon Willson, CFT Field Representative) on the team. At the last negotiation meeting (as noted earlier), the district wanted to close out 08-09, but the teams had too many issues still to discuss for that to happen. Finally, the Student Learning Outcomes Assessment Coordinator position was not brought up by the district.

6. Grievance Update

Krulikowski reported that there have been four main categories of issues lately: 1) class cuts, including bumping rights, 2) loading for Spring 2010 (looking at potential cuts), 3) evaluation questions, including evaluation committee membership,

and 4) various individual issues, such as reinstatement of the Woodworking program, student complaints (and subsequent processes not being followed), and compensation issues.

A discussion occurred regarding the Human Resources staff not following (even “hijacking”) the hiring process, including for the recent Math tenure-track position and the VP for Administrative Services position. Dumas, who is also the Academic Senate Vice President, reported that she and Steve Leone, Senate President, have met with Annette Loria regarding this issue, and Loria agreed to convene an ad hoc committee to develop faculty-driven hiring committee policies. It was noted that there are clear policies in place – they just are not being followed. Since hiring committees and the hiring process are the Senate’s bailiwick, it was suggested that faculty members contact their Senator if there are any problems in this area.

It appears that at least one dean does not know that the division chairs and faculty have the right to hire readers and graders; the dean wants to outlaw the practice, but CCFT is educating the dean regarding the faculty’s rights. Also, a letter sent by one dean telling faculty members to bring their syllabi, samples of graded work, etc., to their evaluations by their managers needs to be seen as a suggestion, not prescriptive; deans do not control that process. CCFT is trying to educate deans and managers that the faculty are professionals and should be treated and trusted as such and that there is contract language that needs to be followed.

7. **SLO’s and Evaluations**

This item was tabled.

8. **Committee Reports**

COPE – Devitt reported that COPE monthly deductions are at an all-time high. Also, she has been attending Democratic Party functions. Devitt announced that she is resigning as COPE Chair, effective immediately, citing the need to spend more time with her teenage children. Much appreciation was shown to Devitt for all her great work as COPE Chair. She intimated that she would still act as a Board of Trustees candidate recruiter.

Part-Time Faculty Committee – Cleaves distributed sample contract language for bumping rights for part-time faculty. She noted that the Part-Time Faculty Committee would be meeting next Tuesday to discuss the language, as well. She distributed the sample language to give ideas to the Council so she could get feedback on the entire issue of part-time faculty bumping rights.

Discussion ensued and resulted in general agreement for part-time bumping rights within the part-time faculty ranks (based on seniority and history of load) and the need to have something in place for Spring 2010. There was mixed support for allowing a part-time faculty member to have preference over a permanent faculty member’s overload.

There appeared to be some contradictory information in the sample language, so it was suggested that Cleaves bring a list of “ideas” regarding the issue instead of specific language so that the Council, at this point, could discuss the issues rather than get bogged down in details. It was also noted that the division chairs need to be involved, as there are unintended consequences as a result of implementing bumping rights.

One Council member noted that her division includes a large number of part-time faculty members who have full-time jobs teaching in high schools elsewhere in the county; even though they have seniority rights, it would not be fair for them to bump a part-timer who has no full-time job at all and is relying on Cuesta's courses for their financial survival. Another Council member disagreed, saying we should protect the faculty members who have contracts here at Cuesta, no matter what employment they have elsewhere.

It was noted that the final language needs to be fair to faculty members and include a clear process to follow.

Cleaves noted that there are about eight faculty members on the Part-Time Faculty Committee.

A Council member noted that this whole issue results from not enforcing AB 1725: the district should be hiring for full-time tenure-track positions instead of relying on part-time "temporary" faculty members.

The meeting was adjourned at 4:47 p.m.

Minutes respectfully submitted by Mark Tomes, Secretary-Treasurer.