

Tentative Agreement for Settlement of 2001-2004 Contract Negotiations between the San Mateo County Community College District and AFT Local 1493

1. Total compensation package of 13% for the 2001-2002, 2002-2003, and 2003-2004 fiscal years for regular and contract faculty, including hourly overload pay, distributed as outlined below:
 - **2001-2002**
 - a) 7% on the AFT Regular Faculty Salary Schedule effective August 15, 2001.
 - b) 7% on the current AFT Adjunct Faculty Salary Schedule effective August 15, 2001. This schedule is retitled Faculty Overload Salary Schedule effective August 15, 2001.
 - c) 9% added to the medical cap. The current medical cap will be increased from \$490 to \$534, effective January 1, 2002.
 - d) 7% to the FLC rate for post-retirement contracts, which is \$2,363 per FLC effective August 15, 2001. In no case shall the rate of compensation for 9 FLCs or less exceed the maximum earnings limitation imposed by the State Teachers Retirement System (STRS).
 - **2002-2003**
 - a) 3% on the AFT Regular Faculty Salary Schedule effective August 14, 2002.
 - b) 3% on the Faculty Overload Salary Schedule effective August 14, 2002.
 - c) 3% added to the medical cap. The medical cap will be increased from \$534 to \$550, effective January 1, 2003.
 - d) 3% to the FLC rate for post-retirement contracts, which is \$2,434 per FLC effective August 14, 2002. In no case shall the rate of compensation for 9 FLCs or less exceed the maximum earnings limitation imposed by the State Teachers Retirement System (STRS).
 - **2003-2004**
 - a) 3% on the AFT Regular Faculty Salary Schedule effective the first day of the 2003-2004 academic year.
 - b) 3% on the Faculty Overload Salary Schedule effective the first day of the 2003-2004 academic year.
 - c) 3% added to the medical cap. The medical cap will be increased from \$550 to \$567, effective January 1, 2004.
 - d) 3% to the FLC rate for post-retirement contracts, which is \$2,507 per FLC effective the first day of the 2003-2004 academic year.

NOTE: In no case shall the rate of compensation for 9 FLCs or less exceed the maximum earnings limitation imposed by the State Teachers Retirement System (STRS).

2. Compensation for adjunct faculty, defined as faculty not employed in a regular or contract status by the SMCCCD, is outlined below. Status as an adjunct faculty member is determined by semester during an academic year. Intersession status will be the same as that during the prior semester. Summer session status will be the same as that during the prior spring semester.
 - **2001-2002**—A one-time distribution of part-time parity funds received by the SMCCCD as a percentage based upon actual hourly compensation for fall 2001, spring 2002, and summer 2002 sessions.
 - **2002-2003**—13.07% on the Adjunct Faculty Salary Schedule effective August 14, 2002.
 - **2003-2004**—7% on the Adjunct Faculty Salary Schedule effective the first day of the 2003-2004 academic year.
3. Per current contract, summer session pay is based upon the appropriate Faculty Salary Schedule for the prior fall and spring semesters.
4. Per diem rate shall be six hours of pay at step 10 of the overload schedule for regular faculty.
5. Parties agree to continue negotiations regarding the definition of part-time parity, including office hours, with the intention of reaching agreement no later than February 2003. If the parties do not reach agreement and the part-time parity funds to the SMCCCD are decreased, the AFT Adjunct Salary Schedule will be eliminated and adjunct faculty will be paid on the Faculty Overload Salary

Schedule. While these negotiations are being conducted, AFT agrees to take no other action regarding part-time office hours. If the funding for part-time parity is eliminated in subsequent budget years, adjunct faculty will be paid on the Faculty Overload Salary Schedule.

6. Negotiations concerning a) elimination of fixed student/counselor ratios as a determinant of workload; b) defining counseling as a discipline; c) defining "student contact" for counseling that is consistent with the FLC principles currently in use; and d) defining an FLC ratio for counseling that is consistent with the FLC principles applied to classroom faculty will be addressed through facilitated meetings between AFT and District representatives in a task-force made up of 6 AFT and 6 management appointees. In addition to the District interests identified above, the task force will identify at its first meeting other contract issues counseling task force members wish to address.

AFT representatives will be selected by each of the Counseling Departments on the three campuses in order to ensure full representation. The task force members will 1) gather data, including broad consultation with the field; 2) review prior Task Force recommendations; 3) hold discussion/dialogue sessions, 4) draft contract language recommendations, 5) gather feedback on the recommendations from the counseling departments on each campus, and 6) finalize recommendations on contract language and forward them to negotiations. Faculty members who serve on the task force and are required to work outside the 175 day academic calendar will be compensated at the special rate or on a per diem basis per Article 8, Pay and Allowances. Final recommendations will be forwarded to the chief negotiators for the District and the AFT by November 1, 2003.

7. Article 13 of the existing agreement is modified as follows beginning with the 2003-2004 academic year (changes are noted in ***bold italics*** and ~~strikethrough font~~):

ARTICLE 13: PROFESSIONAL DEVELOPMENT PROGRAM

- 13.1 Purpose:** There shall be an academic employee Professional Development Program to provide opportunities for the individual professional development of ~~regular~~ academic employees for the purpose of maintaining and enhancing the excellence of the educational programs of the District. The main thrust of this program is to update, retrain, and extend the expertise of faculty to meet the current and future needs of our students in accord with college priorities.

- 13.2 Options:** *The leave options available through the Professional Development Program include the following:*

- a) *conference/professional meeting attendance;*
- b) *short-term projects defined as activities of three (3) weeks or less;*
- c) *long-term projects defined as activities of more than three (3) weeks but less than a full semester; and*
- d) *extended projects of a full-semester or a full-academic year.*

Extended leaves will begin in 2003-2004. Extended professional development leave is intended to provide full release from regular duties and enable unit members to respond to changing educational conditions and to engage in substantive professional growth projects. Extended leaves allow time for advanced formal coursework, independent study, work experience, programs of study and/or research and other beneficial activities which do not fall under regular faculty responsibilities.

- 13.2 REASSIGNED TIME AT FULL PAY:** ~~The program will be flexible and the participants will be provided reassigned time at full pay. This reassignment may take, but is not limited to, the following forms:~~

13.2.1 ~~Full or partial reassignment for a short project for a period of three (3) weeks or less.~~

13.2.2 ~~Full or partial reassignment for a long project for a period of more than three (3) weeks.~~

13.3 Level of Funding for Program: The level of funding will be one percent (1%) of the District budget for regular academic and third- and fourth-year tenure track academic employees of the unit *plus \$50,000 from a combination of Partnership For Excellence and Faculty Development funds, to the extent those funds are available, for extended leaves.*

13.3.1 District funds will be *categorically* allocated to the three colleges in amounts corresponding to the ratio of the numbers of regular academic and third- and fourth-year tenure track academic employees at each college.

~~**13.3.2** The college budget will be augmented by these amounts, categorically funded for this purpose.~~

13.3.2 All projects funded for the following fiscal year must carry over committed monies from the current fiscal year.

13.3.3 Uncommitted monies in a fiscal year can be carried over to the next fiscal year. This will not reduce the following year's allocation for that college. No more than one third (1/3) of the funds can be carried over from year to year.

13.4 PARTICIPANTS WILL RECEIVE PAY AND BENEFITS Compensation: All participants will receive their regular pay and fringe benefits *for leaves of less than a full semester. For projects of a full semester or academic year, participants will receive all fringe benefits and eighty percent (80%) of their regular pay.*

13.4.1 *Participants on extended leaves may use previously banked time to bring their compensation up to 100% during a leave.*

13.4.2 *Overload pay or reassigned time activities shall not be used to bring compensation up to 100% while participants are on an extended leave.*

13.5 Costs to the District: The personnel cost for each project will be the direct cost to the District for persons necessary to substitute for the program participant, workshop and seminar registration fees as approved, and reimbursement of enrollment fees to District faculty enrolled in courses in the SMCCCD as part of professional development.

13.6 Replacement: *Part-time faculty will be used as a replacement for a unit member's extended leave. Part-time faculty may have an assignment up to 60% of a full-time load as an extended leave replacement. If the District opts to replace a program participant with a full-time leave replacement, the cost to the professional development program will be calculated as if the participant had been replaced with part-time hourly faculty.*

13.7 Costs to the Employee: The non-personnel costs (for example, transportation, housing, tuition, and related expenses) for all projects will be borne by the participants, except that the District may reimburse enrollment fees to District faculty enrolled in courses in the SMCCCD as part of professional development.

~~**13.7 PROCEDURES:**~~ Procedures and eligibility associated with this program are as follows:

13.8 Types of Activities for short- and long-term projects: The activities may be completed at a college, university, or in any other appropriate environment. The activities will be of the following four types, and must result in demonstrable benefit to the students of the District:

1. Participation in workshops, colloquia, seminars, or training sessions lasting up to three weeks.
2. Retraining—acquiring new skills to be used in new areas and/or in improving and updating existing skills.
3. Advanced study—engaging in systematic graduate studies and/or activities directly related to identified college priorities.

4. Research—engaging in a variety of activities such as original work in one’s field of expertise, extensive reading and summarizing of knowledge in a specific area, perfecting techniques and processes applicable to one’s assignment.
- 13.9 ***Types of Activities for extended leave projects:*** *For extended leaves of a full semester or academic year, activities will be considered according to one or more of the following categories; all categories will be considered equally.*
1. *Retraining of applicant to allow for future new assignment in a needed area;*
 2. *Study, project or activity that provides an applicant with opportunities to upgrade skills and knowledge for current or future assignments;*
 3. *Study, project or activity for the improvement of curriculum, educational delivery, student personnel services or other support services;*
 4. *Study, project or activity for development or revision of certificate or degree program;*
 5. *Study, project or activity related to feasibility or revision of new or existing programs.*
- 13.10 ***Eligibility and Frequency:*** *All regular academic employees who have completed six years of continuous paid service with the District directly preceding the term of the requested leave are eligible for extended leaves of a full semester or academic year. District authorized paid leaves will not constitute a break in service. The program is available to all Regular and third and fourth year tenure track academic employees are eligible for **conference/professional meeting attendance**, short- and long-term projects with no restriction on the frequency of participation. Hourly faculty shall be eligible to apply for and participate in **conference/professional meeting attendance**, short-term (three-weeks or less) Professional Development activities.*
- 13.11 ***Selection Process:*** *The Professional Development Committee on each campus shall consist of three AFT appointed faculty members, one Academic Senate appointed representative and two administrators.*
- 13.11.1 *The Chairperson will be a faculty member chosen by the committee. Each member has one vote.*
 - 13.11.2 *A majority (four votes) is required to select a leave request for approval.*
 - 13.11.3 *The Committee will screen the preliminary proposals. Faculty members whose preliminary proposals are acceptable may be requested to submit detailed proposals for final approval.*
 - 13.11.4 *The Committee will submit a prioritized list of projects to the President of the college who will be responsible for granting final approval after consultation with the appropriate Dean.*
 - 13.11.5 *Selection for extended leaves will be governed by a) potential of future service to the District and students; b) relative merits of application; and c) seniority*
 - 13.11.6 *Applicants whose requests have been denied by the Committee shall be informed, in writing, of the reasons for denial.*
 - 13.11.7 *It is the intent of this program to fund a reasonable mix of short- and long-term projects as well as extended leaves of a full semester or academic year.*
- 13.12 ***Application Procedures for Short- and Long-term Projects:*** *Eligible faculty initiate the selection process by submitting a preliminary proposal that includes an estimated budget and a plan for replacement of the faculty member, if necessary. The preliminary proposal will be short (1-3 pages) and will be submitted to the Chair of the Professional Development Committee.*
- 13.13 ***Application Procedures for Extended Leaves:*** *Eligible faculty must submit a proposal to the Chair of the Professional Development Committee by February 1st of the preceding academic year. Each application must be accompanied by a) an outline of the planned project, program, activity or work experience including a statement of purpose and objectives; b) a description of the activities involved; and c) a plan for sharing or applying the result of the activity.*

13.14 Timelines:

1. Each long-term project will be submitted for approval and be approved no later than the mid-semester preceding the commencement of the project.
2. Short-term projects may be submitted for approval and be approved during the semester preceding the projects. However, such projects may also be submitted during the semester of the project. In any event, proposals for short projects should be submitted in time so that the review committees can meet and complete its review.
3. In unusual circumstances, the review committee may delegate its review authority of short project proposals to the appropriate division dean(s). Projects approved in this manner will be forwarded by the appropriate Dean(s) to the chief executive officer of the college for final approval.

13.7.E Report Writing and Evaluation:

1. ~~At the completion of a project, the participant will submit to the chief executive officer a written report describing his/her activities to provide verification that salient features of the project have been carried out. Where appropriate, transcripts, certificates, or other tangible outcomes of a project will be submitted for review. The chief executive officer of the college or his/her designee will forward copies of the project report to the review committee, which will review the report and certify to the chief executive officer of the college that the project has been satisfactorily completed or that further work should be expected before certifying completion.~~
2. ~~The intention of the program is to give wide dissemination of the reports to appropriate parties.~~
3. ~~Summary reports will be periodically submitted to the Board of Trustees for information.~~

13.15 Return from Leaves: *Within thirty (30) days after returning to regular duties, each leave recipient will submit one or more of the following, providing evidence of having met the objectives stated in the initial application. Documentation will be submitted to the President and the Chair of the Professional Development Committee.*

- a) *A transcript of courses taken and grades earned*
- b) *A report on the educational benefits of project or activity undertaken*
- c) *A description of plans for application of new skills and knowledge to teaching assignment and/or campus program*
- d) *Letter from an employer verifying work experience*
- e) *Samples of creative work, summary of research, and other evidence of original work produced as a result of leave.*

The Professional Development Committee may request further evidence beyond that which is submitted by the recipient; such evidence must be submitted within two weeks of the committee's request.

13.16 Return Obligation: *Recipients of extended leaves for an academic year must work for the District for two years after returning from such leave. Recipients of an extended leave for a full-semester must work for the District for one year after returning from such leave. If a faculty member fails to fulfill this return obligation, the District has the right to ratably recover salary and benefits costs, unless otherwise mutually agreed to between the District and the faculty member.*

8. AFT agrees to withdraw any and all PERB Unfair Labor allegations and complaints submitted to the State Chancellor's Office related to current negotiations.
9. The duration of this agreement is from July 1, 2001 through June 30, 2004. There will be no contract reopeners until the successor agreement.