

## 2018-19 ACADEMIC CALENDAR

# Many factors to balance when developing an academic calendar

by Monica Malamud, AFT 1493 President

There are several constraints that need to be considered when designing the Academic Calendar, such as the minimum number of meetings per semester for each day of the week, total number of faculty workdays per year and mandated holidays. Additionally, in previous AFT surveys, District faculty have expressed strong preferences for starting as late as possible in August, having a four-week winter break, ending before Memorial Day, and not splitting finals weeks.



The AFT and the District negotiate the Academic Calendar, which is then submitted to the Board for adoption. In order to allow for input from faculty at large, the Academic Calendar appears on the AFT meeting agendas that are distributed via email to all faculty. Faculty are always encouraged to participate in AFT meetings or to send their comments in advance to members of the Executive Committee (EC) if unable to attend an AFT meeting.

### Faculty survey on spring break & flex day

During the negotiations that concluded in August, one stipulation was that AFT would approve the 2018-2019 Academic Calendar by October 20, 2017. The EC discussed the proposed calendar from the District at the first AFT meeting this fall semester, on September 13. This proposed calendar was basically a roll-over from the 2017-2018 version, and as such there was nothing controversial about it. However, in order to invite all faculty to weigh in on a couple of aspects of the calendar where flexibility is possible, the EC decided to conduct a survey about spring break and the mid-spring semester flex day.

The survey offered three different options for the scheduling of spring break, and asked whether faculty preferred the mid semester flex day to fall before or after spring break, and on what day of the week (to

## New flex requirements start January 12, 2018

As a result of our most recent negotiations completed in August 2017, there are changes to the flex obligations of full-time faculty. In the past, although there were designated flex days on the academic calendar, faculty had the option to complete the 5-hour per flex day requirement on flexible time, that is, on days other than those designated on the academic calendar. Starting with Spring 2018, there will be one flex day per semester with mandatory attendance. Such flex days will be determined with the approval of the academic calendar for that year and are intended to be assigned on a college day (i.e., not on District Opening Day).

The following required (non-flexible, fixed) flex days have already been set:

- Spring 2018: January 12<sup>th</sup>
- Fall 2018: August 14<sup>th</sup>
- Spring 2019: January 11<sup>th</sup>

In the event that full-time faculty need to pursue alternative activities other than those planned by the colleges on the required flex days, they should seek approval in advance from the appropriate VPI or VPSS.

choose from Tuesday, Wednesday and Thursday). The results were as follows:

- 75% of faculty who participated in the survey chose April 1-6 as Spring break
- 76% preferred the mid semester flex day before the break
- about half of the faculty wanted the flex day on a Wednesday, with the remaining half of the votes split between Tuesday and Thursday.

These results reaffirmed the choices that the District had made on its proposed calendar, and at the October

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San Mateo Community College  
 Federation of Teachers  
 AFT Local 1493, AFL-CIO  
 1700 W. Hillsdale Blvd.  
 San Mateo, CA 94402  
 CSM Building 1 - Rooms 251-3 & 255  
 (650) 574-6491  
 aft1493.org  
 facebook.com/AFT1493

**Editor**

Eric Brenner, Skyline, x4177

**Editorial Board**

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 Dan Kaplan, x6491

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 David Leitner, Cañada, leitnerd@smccd.edu

**Chief Negotiator**

Joaquin Rivera, Skyline, x4159

**Executive Secretary**

Dan Kaplan, x6491, kaplan@aft1493.org



**PART-TIME FACULTY**

**Part-timers are eligible for unemployment compensation between semesters**

All Part-time faculty should remember that you are **eligible for unemployment compensation benefits between semesters and over the summer break**, unless you are working another job between semesters or over the summer and you are earning more than your unemployment grant would be. As soon as you give your last final exam, you should contact the local Employment Development Dept. (EDD) office and file a claim, or reactivate the one you have from last summer (if you applied during summer break). If it is a new claim, you will have a one-week waiting period before benefits start, so do not delay. You can also claim for the period between regular terms and summer school.

*Class assignments are not reasonably assured*

When applying, tell them about all your jobs, since your benefit is based on all your income over the previous year. When they ask if you have a job to go back to next semester, you should answer: "Not with reasonable assurance. I only have a **tentative assignment**

**contingent on enrollment, funding and program needs."**

This is important: Do not just tell them that you have an assignment for Fall or Spring or you will be disqualified. According to the Ed. Code, part-timers, as a class, do not have "reasonable assurance" of a job and hence are eligible for benefits between terms. The specific language from Ed Code section 87482.3 (d) reads: "In all cases, part-time faculty assignments shall be temporary in nature, contingent on enrollment and funding, and subject to program changes, and no part-time faculty member shall have reasonable assurance of continued employment at any point, irrespective of the status, length of service, or reemployment preference of that part-time, temporary faculty member."

Be sure to fill out all job search forms correctly, and appear as directed in person or by phone or mail. You should not have any problems, but if you do and are denied for any reason, call Dan Kaplan in the AFT office (650-574-6491) as soon as possible and the Union will advise you on how to file an appeal. Don't be reluctant to file. This is your right, not charity. □

*The Advocate*

*The Advocate* provides a forum for faculty to express their views, opinions and analyses on topics and issues related to faculty rights and working conditions, as well as education theory and practice, and the impact of contemporary political and social issues on higher education.

Some entries are written and submitted individually, while others are collaborative efforts. All faculty are encouraged to contribute.

*The Advocate's* editorial staff, along with the entire AFT 1493 Executive Committee, works to ensure that statements of fact are accurate. We recognize, respect, and support the right of faculty to freely and openly share their views without the threat of censorship.

**AFT 1493 discourages full-timers from taking on excessive overload**

The following resolution was passed at the April 13, 2011 AFT 1493 Executive Committee meeting:

Whereas economic instability and budget cuts are affecting the employment status and livelihoods of part-time faculty in the SMCCCD,

Be it resolved, that the AFT 1493 Executive Committee recommend that full-time faculty members **seriously consider refraining from taking on excessive overload in situations where part-time faculty will be displaced from courses to which they would have otherwise been assigned.**

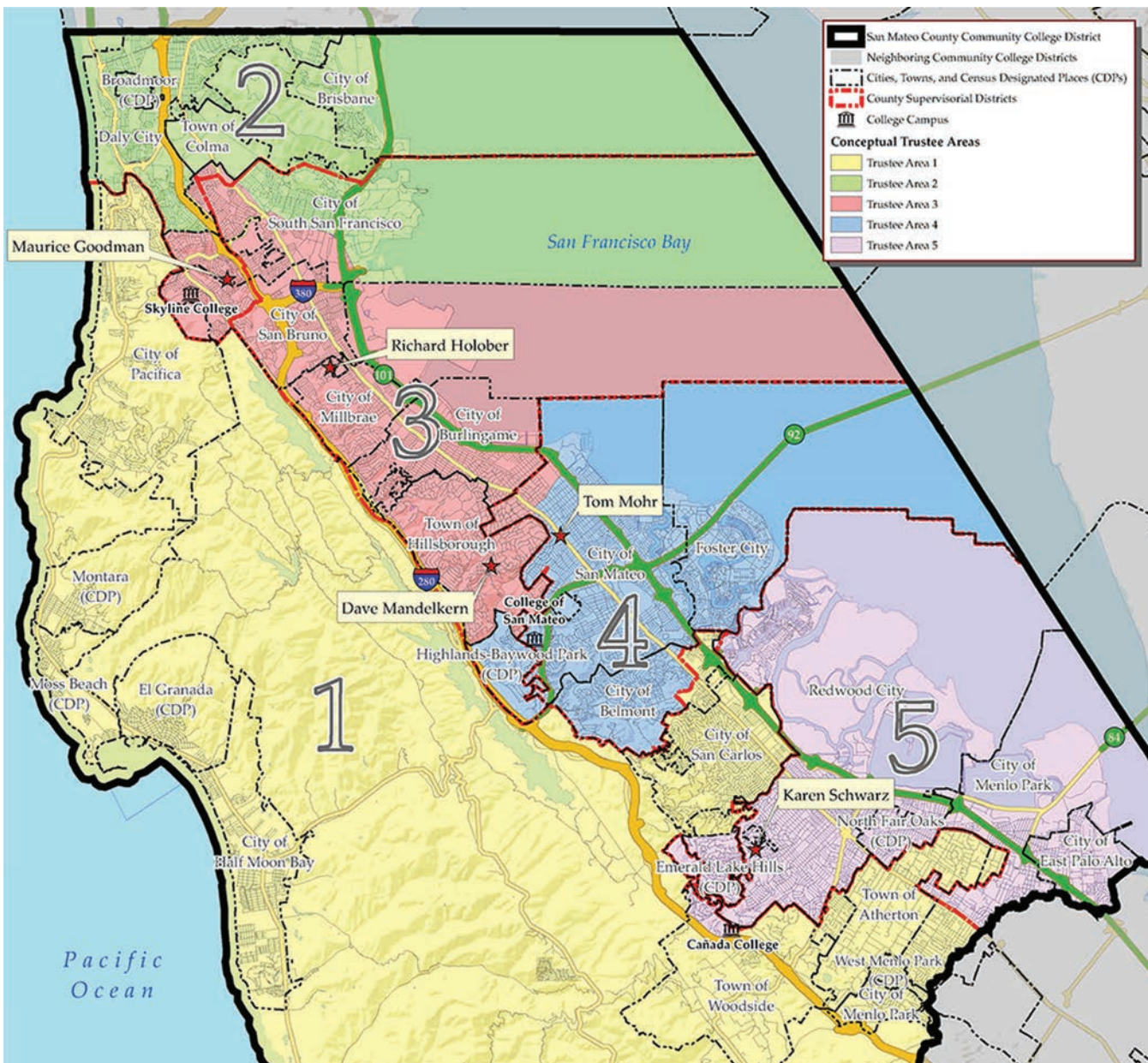
## Board sets map and schedule for district elections

The SMCCCD Board of Trustees voted on June 14, 2017, to move from an “at-large” board election system to a district election system for future elections of Trustees. The Board had been discussing the idea of instituting district elections for a number of years since district elections are generally considered to lower the cost of running for office, make elected officials more accountable to the public and increase geographic and ethnic diversity of officials. When the Board finally voted on the change in June, however, they did not decide on the specifics of the boundaries of the districts. At their meeting on October 11, the Board adopted a map that divides San Mateo County into five Trustee Areas, and established a sequence for future elections for those areas. Candidates are required to reside within the Trustee Area they represent and are elected only by residents of that area.

The approved map did not take into account incumbency and it includes two districts (Areas 1 and 2) where no

incumbent currently resides and one Trustee Area (Area 3) in which three incumbents live. The incumbents who live in Trustee Area 3 are Dave Mandelkern, Maurice Goodman, and Richard Holober. The Board also decided that, under their new election system, two Trustee Areas (2 and 4) will be up for election in 2018 (and every four years thereafter) and the remaining three trustee areas (1, 3 and 5) will be up for election in 2020 (and every four years thereafter.) Since Richard Holober’s current term expires in 2018 and the next election for his Trustee Area (3) will not take place until 2020, he will not be eligible to run next year, so he will lose his seat on the Board. Trustee Tom Mohr’s current term also expires in 2018, but, since he lives in Area 4, he will be eligible to run for re-election next year. The terms for Trustees Mandelkern, Goodman and Karen Schwarz do not expire until 2020.

The Trustee Areas are shown in the [map](#) below.



## CIVIL LIBERTIES IN HIGHER EDUCATION

# Cañada student group hosts presentation by Peter Bonilla on issues of free speech on college campuses

by Dan Kaplan, AFT 1493 Executive Secretary

On November 15, Peter Bonilla, a representative of the Foundation for Individual Rights in Education (FIRE), made a presentation at Cañada College on free speech on college campuses. Bonilla was invited to Cañada by PTK Beta Nu's Honors In Action project and the student organizers distributed a flyer that explained the central question they hoped to be addressed at the event: "Considering many people hold different opinions, how can our campus create an inclusive community that respects all viewpoints while also protecting every student's right to have freedom of expression?"

## Supreme Court decisions protected rights of student groups and academic freedom

In an effort to address this question and others, Mr. Bonilla (while acknowledging that he was not a lawyer) reviewed some case law on various issues related to free speech on college campuses. Bonilla spent some time discussing a 1972 Supreme Court decision, *Healy v. James*, which held that Central Connecticut State College's refusal to recognize a campus chapter of Students for a Democratic Society (SDS) was unconstitutional. The administration of Central Connecticut State College argued that other chapters of SDS around the country had engaged in illegal violent activities and thus they had decided to prevent SDS from forming a chapter at their college. But the Supreme Court ruled that the college's denial of official recognition to an SDS chapter was a violation of the First Amendment and student free speech rights in Connecticut. This was an extremely important case not only because of the significant legal precedent that was set, but also because SDS was the largest New Left student organization throughout the 1960's.

Bonilla also discussed *Papish v. Board of Curators of the U of Missouri* (1973), in which the Supreme Court reaffirmed that public universities could not punish students for indecent or offensive speech that did not disrupt campus order or interfere with the rights of others; *Rosenberger v. Rector and Visitors of the U. of Virginia* (1995), in which the Supreme Court ruled that public universities cannot make resources available to student groups based on the views of the groups; and *Keyishian v. Board of Regents* (1967), in which the Supreme Court's opinion stated that "Our Nation is deeply committed to safeguarding academic freedom,

which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment..."

## SMCCCD's policy on Time, Place and Manner complimented and questioned

Bonilla explained that FIRE, which has been working to defend civil liberties in higher education since 1999, has found numerous common restrictions on freedom of speech on college campuses, including vague and/or overbroad speech codes, overly restrictive permitting policies, and "free speech zones", which FIRE deems are unconstitutional. At the same time, Bonilla said that FIRE had looked at the SMCCCD's Board Policy 2.31 on Time, Place and Manner and found this policy to look good compared to many other such policies.

When Bonilla finished his talk, AFT Local 1493 President, Monica Malamud, raised a question regarding FIRE's characterization of the District's Time, Place and Manner policy as being "quite good." She quoted from information on the Cañada College website concerning how the Time, Place and Manner

*"Our Nation is deeply committed to safeguarding academic freedom, which is of transcendent value to all of us and not merely to the teachers concerned. That freedom is therefore a special concern of the First Amendment..."*

policy was actually being implemented at Cañada. It turns out that there are actually Free Speech Zones that are part of the Time, Place and Manner policy, at least at Cañada. So why does FIRE find the Time, Place and Manner policy to be quite good if they find Free Speech Zones to be unconstitutional? \*

Mr. Bonilla's response was that he didn't want to get into technical details regarding the District policy, especially given that he wasn't a lawyer. There was also some discussion at this point concerning the legal status of the college campus property. Was the campus to be considered a public space where free speech was allowed? Or was the campus to be considered a private space, where free speech could be curtailed? Apparently there is some language on the Cañada College website that suggests that the college is a private space that can monitor student free speech. Again, if this is true, then why did the FIRE speaker argue that the District's Time, Place and Manner policy is quite good? Unfortunately, there was not much clarity revealed during this exchange.

At the end of the conversation, a student asked a question about what the role of campus security should be if

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## Benefits Committee to explore alternative health coverage

by Monica Malamud, AFT rep. to District Benefits Committee

In the contract negotiations that concluded in August, AFT, along with CSEA and AFSCME, agreed to the District's proposal to form a District Benefits Committee to explore alternative, cost-effective health coverage options in the face of rising health care premiums.

In her email message inviting representatives of the three district unions to an initial meeting, Cassandra Jackson, Human Resources Manager, wrote: "The Benefits Committee will review the District's current health insurance plan and examine alternative affordable options of health plans while maintaining the same scope of benefits. We will solicit RFPs from insurance brokers to serve as the consultant agency that will guide us through the process." At the first Benefits Committee meeting on November 16, Ms. Jackson explained that with our current system administered by CalPERS, we are unable to customize health coverage plans and negotiate premiums directly with vendors.

A different option would be to contract with a JPA (Joint Power Authority). JPAs serve a much smaller number of members than CalPERS, and premiums are determined based on historical claims from members in the pool. So if our District employees are healthier and incur lower costs to manage their health, we could enjoy the savings (although the opposite might be the case as well). Yet another option would be to deal directly with an insurance broker that

customizes health coverage just for our District employees. Under this scenario, typically rates are usually low in the first years, but then they can experience significant increases unexpectedly. In contrast to these two options, CalPERS has a very large pool of participants and, as a result, premium fluctuations are more limited.

At the first meeting, the committee began the process of identifying some of the key elements to be included in the RFP: comparisons to our current health coverage plans, historical performance of proposed plans, including references from organizations currently served by it as well as from those who discontinued the plans; we would also like proposals to include plans that are used by other community colleges or universities.

Union reps emphasized that proposals should include options that offer health coverage comparable with our current plans. CSEA and AFT reps also made it very clear at this meeting that the committee will not approve any changes of medical coverage plans available to district employees; any changes will need to be negotiated according to the negotiations schedule, because health and welfare benefits are part of the contracts.

The Benefits Committee includes representatives from each collective bargaining unit, members from management, and a rep. for our district retirees. Please contact me at [malamud@aft1493.org](mailto:malamud@aft1493.org) with any input, feedback, questions or concerns. □

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there is some kind of disruption of a presentation by a speaker on campus. The question could be applied to an incident that happened at Cañada last April 25 when two students were brought up on disciplinary charges after they interrupted a campus speaker who was known to espouse Islamophobic and nativist ideas. (The speaker had been brought to Cañada by a local chapter of a national right-wing group.) Peter Bonilla replied that this is "a tricky legal question." He said that speakers don't have a right to a friendly or cooperative audience and it is OK to register protest without interfering with a speaker. Protests can include temporary disruptions (up to about 15 minutes), such as standing up and delivering prepared comments. When totally obstructing the delivery of a presentation or physically preventing a speaker from speaking at all, then there is a problem, but the question of what security is obligated to do is not entirely clear. Bonilla said that colleges and universities don't tend to remove disruptive people; they usually take a much more permissive approach. It also depends whether or not the security officers are sworn police officers. If not (as is the case for our District security officers), and they take action, then they could be exposed to litigation.

### Note on "free-speech areas" in SMCCCD

\* The language regarding free speech zones on the Cañada web site (<https://www.canadacollege.edu/studentlife/freespeech.php>) that Monica referred to stated: "Cañada College is a non-public forum, except for designated free-speech areas. Free-speech areas have been designated on campus to maximize the opportunity for free discussion and expression, while minimizing the potential for disruption of classroom and college activities." This language was changed after it was brought to the college's attention. The language on this page now states: "In the spirit of open discussion and freedom of expression, any individual or group may use campus and District exterior spaces, including lawns, plazas, quadrangles, patios, and similar or related open spaces on the College campuses and District grounds for the free exercise of academic freedom and free expression, subject to the regulations and the restrictions of this policy." As of this writing, Skyline College's website (<http://skylinecollege.edu/centerforstudentlife/assets/eventplanning/FreeSpeechGuidelines.pdf>) still has the exact same language: "Skyline College is a non-public forum, except for designated free-speech areas. Free-speech areas have been designated on campus to maximize the opportunity for free discussion and expression, while minimizing the potential for disruption of classroom and college activities." □

**RETIRES**

# Oral History Project shooting for 100 interviews recording retirees' memories and District history

by Bill Rundberg, retired CSM math faculty

In addition to volunteering his time for the Oral History Project, Bill has been volunteering for many years to develop the District photo archive which currently has an online database of over 4000 historical photos, many of which document the early development of each college. That project is known as PHLIP, the Photograph Library Project, and can be accessed at: [smccd.edu/photoarchives](http://smccd.edu/photoarchives). - Ed.

The SMCCCD Oral History Project, an oral history effort with focus on the history of the Colleges, has produced over 90 interviews and is close to its century goal: At least 100 interviews by 2022, a hundred years after the opening of San Mateo Junior College. With the exception of a few students from the 1930's through the 1960's, the participants are retirees who have spent substantial parts of their careers associated with the District. Included are faculty, staff and administrators. Many served in multiple roles and at more than one location. The Project was developed by the Group For Organizing an Oral History Effort (GFOOHE).

Managing the project and doing most of the interviewing, GFOOHE represents career time at the District Office, all of the colleges and KCSM; it comprises retirees Gus Petropoulos, Ken Kennedy, Bill Rundberg and Rick Zanardi. On occasion, the interviewer has been someone other than a GFOOHE member and with a special relationship with the interviewee, e.g. in a close working relationship or with a long history as a colleague.

The project developed from discussions of the photographs, about District history, in the Photo Library Project (PHLIP -- [smccd.edu/photoarchives](http://smccd.edu/photoarchives)), prompting desires to record some of the comments and to hear from subjects in the photos. Source of funding for equipment and supplies to conduct the interviews was initially provided by the President's office at CSM and later, given its district-wide scope, evolved to the District Office. Lengths of interviews have varied from about 25 minutes to 90 minutes, and there is a wide variation in stories and memories.

The GFOOHE Project began in 2008 and most of the interviews have been on camera, taking place at CSM in specialized locations made available for the Project. It has recently moved to Bldg. 1 near the AFT office. Also, there have been off-campus interviews in Oregon (Glenn Smith, Leo

Bardes and Bob Smith) and nearby (Lew Miller, Betty Pex and Isago Tanaka; Betty and Isago chose to be off-camera.) There has been one recording on camera of a conversation involving two retirees: Gerry Frasetti and Maggie Skaff.

Questions by the interviewer usually invite discussion of circumstances that brought the interviewee to the District, and often become conversations guided by the interests of the interviewee that might include impressions of students

over the years, of the evolution of the campuses and facilities, and memories of special experiences or events. Interviews are usually preceded by a chat among the participants to set the mood for a conversation and to stimulate memories. While interviewees begin their sessions with varying degrees of confidence, every interview has been remembered by the interviewee as a pleasant experience. Occasionally, after the interview has ended and the camera shut down, the interviewee resumes with more stories and comments, some of those accompanied by restarting of the camera for more recording.

The collection of 90+ interviews to date represents many facets of the District: The development of academic and student support areas; memories ranging from CSM's Baldwin and Coyote Point locations as well as College Heights, and from the beginnings of Cañada and Skyline, and into the 2000s; roles of administrators, faculty and classified staff; special events and other influences on the District, e.g., student activism of the 1960's, tax-override elections, Prop. 13, etc. Many of the participants began their careers in the District during the early years of CSM in its present location, or during the beginnings of Cañada and Skyline. Some were students at one of the colleges before they became employees.

GFOOHE makes six copies of a DVD of each entire interview: One copy for the interviewee, one for each college and the District Office, and one for the project collection. Beyond what the interviews contribute to an archive providing multiple perspectives informing the history of the District, they also provide pleasant sociability and reunions.

SMCCCD faculty who are recently retired or about to retire and would like to share their stories are especially encouraged to participate in the project. If interested, send an email to [retirees@my.smccd.edu](mailto:retirees@my.smccd.edu), or leave a message at 650.574.6552. Bill, Gus, Ken or Rick will contact you to answer any questions and make the arrangements. □



Images from the SMCCCD Photograph Library Project

# College scholarships available to AFT members' children

## CFT Raoul Teilhet Scholarship

The CFT offers scholarships to high school seniors and college students who are children or dependents of CFT members in good standing. Students enrolled in four-year courses of study are eligible for \$3000 scholarships; those enrolled in two-year courses of study are eligible for \$1000.

### About the program

The CFT is celebrating 20 proud years of the Raoul Teilhet Scholarship Program. This program has produced an enduring benefit of membership and remains a fitting tribute to former CFT President Raoul Teilhet. The program helps children and dependents of members achieve their higher education goals. The program was named after inspirational CFT leader Raoul Teilhet, who served the organization as president from 1968 to 1985. In 2003, Convention delegates extended eligibility to continuing college students and dependents of deceased CFT members.

Teilhet died in 2013; you can read about Raoul Teilhet's life and contributions to the union in his obituary. Since the program was established in 1997, the CFT has helped hundreds of students achieve their higher education goals by awarding them Raoul Teilhet Scholarships.

The union is now accepting applications for the 2018 Scholarship Program.

### Scholarship eligibility

- Award selection is based on academic achievement, special talents and skills, participation in extracurricular activities, community service, financial need, and a 500-word essay on a social issue of the applicant's choice.
- Scholarships are awarded for any one year of higher education.
- Students must be listed as a dependent on their parents' or guardians' tax return to be eligible for this scholarship.
- Parents or guardians will be asked to have their local union president verify union membership.
- Students who received scholarships as high school seniors are not eligible for another scholarship during college.

### How to complete and submit an application

The scholarship applications (see links below) contain complete instructions for submission; please read them carefully. Note: The applications are fillable pdf documents. Please complete the application electronically using Adobe Reader. This will ensure that you are able to fill out, make changes, save, and print your completed application.

For more information, or to get a hard copy of an application mailed to you, please phone the CFT Costa Mesa Field Office at 714-754-6638.

### Raoul Teilhet Scholarship applications and deadlines:

- **For High School Seniors:**  
Deadline to submit applications: January 10, 2018
- **For Continuing College Students:**  
Deadline to submit applications: July 1, 2018



## National scholarships for members and dependents

More scholarships and professional grants are available to members and their dependents through the AFT and the AFL-CIO.

### Robert G. Porter Scholarship Program

The AFT awards four \$8000 scholarships to high school seniors who are dependents of AFT members, as well as 20 continuing education grants of \$1000 to AFT members.

**Application deadline: March 31.** To learn more, go to [the AFT Web site](#).

### Union Plus Scholarship Program

The AFL-CIO offers scholarships ranging from \$500 to \$4000 to union members, their spouses, and their dependents who are enrolled at an accredited institution of higher education. Scholarships are also available to graduate students. **Application deadline: January 31.** Learn more from [the Union Plus website](#). □

**COMMITTEE REPORT**

# Workload Equity Committee developing new faculty survey

by Doniella Maher, AFT 1493 Rep. to Workload Equity Committee

The Workload Equity Committee met for the second time on November 15. The Workload Equity Committee includes a combination of AFT and Academic Senate-nominated faculty and selected administrators. At their first meeting in September, the committee established that they would be developing a workload survey to better understand the work being done at our campuses.

Prior to the November meeting, faculty met with divisions across the colleges to discuss the importance and the

process of collecting workload information. These meetings raised many interesting and thoughtful questions and comments about how to best collect the information to represent the diversity of the jobs that we do. For example, it may not be useful for the questions that we ask teaching faculty and non-teaching faculty to all be the same.

Additionally, between the September and the November meetings, members of the committee collected and compiled information to be included on the forthcoming survey. □

## 2018-19 Academic Calendar set

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18 AFT meeting, the EC voted to approve the 2018-2019 Academic Calendar as proposed by the District, meeting the October 20<sup>th</sup> deadline set in the contract.

## District asks for changes

However, shortly afterwards, the District asked the AFT to consider changes to the 2018-2019 calendar that had previously been proposed to and approved by the AFT. At the November 8 AFT meeting, "Academic Calendar" was on the agenda for the third consecutive month. Why the changes? One holiday had been scheduled on the wrong day, there was an error in the total number of workdays, and the District now wanted the mid-spring flex day on a Thursday instead of a Wednesday. These changes caused split-week finals in both fall and spring semesters (instead of finals weeks running from Monday through Friday as usual).

The EC came up with a solution for the split finals week in May, which also served to lengthen winter break (still under four weeks) by one day: to move one pre-spring semester flex day to Friday, March 29<sup>th</sup>, thereby also benefiting faculty who must submit program reviews by the end of March. The EC decided to uphold the choice of faculty to have the mid-

spring flex day on a Wednesday. Additionally, the District had communicated its desire to observe César Chávez Day (March 31<sup>st</sup>) as a holiday, which may, in effect, force us in the future to schedule spring break for the week that includes March 31<sup>st</sup>. Although this will be the case for the 2018-2019 Academic Calendar, the EC feels that this should not be the determining factor for scheduling spring break in the future. Finally, we registered our concerns regarding the split week for final exams in December.

## Drawbacks: Aug. 15 start & split finals week

We know that the 2018-2019 Academic Calendar will not please everyone. Classes start on August 15, which requires that sections have healthy enrollments at the beginning of August (before many students have even started thinking of signing up) or face cancellations. We have a split finals week in December and a winter break shorter than four weeks. The days of the week when flex days can be scheduled are constrained by the number of instructional days we must have in a semester for each weekday. Faculty who teach an 8-week summer session have two weeks at best, but as little as one week, between terms. Given the lower student attendance before the Thanksgiving holiday, some faculty have requested that we explore the possibility of having the entire week off.

Designing an Academic Calendar that complies with all state requirements while honoring faculty preferences is not an easy task. Unfortunately, there are pros and cons in every choice and compromises need to be made. Some years ago, many community colleges switched to compressed (15-week) semesters; districts that adopted compressed calendars have not reverted back to longer semesters. Our District was in the process of considering it, but abandoned the idea when time and efforts had to be re-directed to dealing with a budget crisis. Perhaps now that our District enjoys a solid financial standing, the time is right to revisit the compressed calendar idea. □

