

Campus Equity Week to Highlight Part Timers' Conditions October 27 - 31

by Jenny Saarloos, Skyline

Campus Equity Week (CEW)--October 27 - 31-- is a time to draw attention to the contributions and concerns of part-time faculty. Themes of Equity Week 2003 across the state are job security, respect and public awareness.

Part-timers on our local committee decided that they want to do the usual setting up of tables at each campus. We hope to display white balloons to represent the ghosts of all the missing part-timers and students. We will try to get gravestones as well. (A little dramatic—it is Halloween). We will also have a quiz show (we dream of a microphone) asking students questions about part-timers' working conditions. What percentage of a full-timer's salary do part-timers make?

Students will be able to fill out part-timer appreciation notes and we will collect them in a box. Then we will take a select few and put them on poster board to display around campus. Everyone will be asked to wear a pin or sticker in support of



equity week. Meanwhile, we will show the new documentary *Teachers on Wheels* and give out popcorn.

Tables will be set up on Tuesday and Wednesday near the flagpole at

Skyline, Wednesday at CSM in building 5 and Thursday in the cafeteria at Cañada. Please visit us the tables and watch the new documentary! The equity celebration will not be complete without you.

On Friday, October 31, at De Anza College, the northern California equity week event will start with a lunch at 11:30 am followed by a public hearing. This event is being organized by the Coalition of Contingent Academic Labor (COCAL)-UC, CSU and community college faculty working together. A panel of notables has been invited, and students, teachers and community members will give testimony about part-timers' working conditions

and the effects this has on students. Don't miss it! Check out the CEW website at:

www.cewaction.org □

Faculty Raise Issues for Contract Negotiations in Forums & Survey

The AFT held campus forums on all three campuses recently in order to solicit feedback from faculty concerning the issues that should be dealt with in the next round of contract negotiations. Based upon the feedback that AFT receives over the next month from these meetings and from the negotiations survey that is now online (www.aft1493.org) a new contract proposal will be developed and submitted to the District by the end of the semester.

Cañada Faculty Gives Input

The meeting at Cañada College was held on September 29 and a wide-ranging discussion took place.

Among the many issues discussed were the following:

What is the current status of **post-retirement contracts** in the District? How likely is it that the District will be willing to negotiate the new **2+2 golden handshake**

continued on page 10

✓
vote

**AFT 1493 Endorses:
Mandelkern,
Miljanich &
Schwarz in
November 4th
College Board Election**
(See pages 4-5 for more.)

INSIDE THIS ISSUE

- 2 Presidents' Perspectives: Board Election Is Key
- 3 CFT Calls on Arnold to Keep Promise to Education
- 4-5 Statements by AFT-Endorsed Board Candidates
- 6 What Has the Union Done For Me Lately?
- 7 Faculty Rights Defended at Academic Senate Retreat
- 8 District Claims Ownership of Faculty's Books

San Mateo Community College
Federation of Teachers
AFT Local 1493, AFL-CIO
1700 W. Hillsdale Blvd.
San Mateo, CA 94402
(650) 574-6491
aft1493.org

Editor

Eric Brenner, Skyline, x 4177

Editorial Board

Eric Brenner, Skyline, x 4177
Dan Kaplan, x 6491

Co-Presidents

Katharine Harer, Skyline, x 4412
Joaquin Rivera, Skyline, x 4159

Vice President

Ernie Rodriguez, Cañada, x 6785

Secretary

George Goth, Skyline, x 4390

Treasurer

Anita Fisher, CSM, x6383

Chapter Chairs

Chip Chandler, Skyline, x 4286
Teeka James, CSM, x6390
Yaping Li, CSM, x6338
Romelia Thiele, Cañada, x3211

Executive Committee Reps.

Nina Floro, Skyline, x 4414
Rick Hough, Skyline, x 4193
Anne Nicholls, Cañada, x 3293
Karen Olesen, Cañada, x 3415
John Searle, CSM, x6607

Part-timers Reps.

Victoria Clinton, CSM, x 6492
Hari Costarides, Cañada, x6889x9127
Norman Prince, Skyline, x6889x9358

Chief Grievance Officer

John Kirk, CSM, x 6386

Executive Secretary

Dan Kaplan, x 6491
kaplan@smccd.net

PRESIDENTS' PERSPECTIVES

November 4th Board Election Will Have Key Impact on Our Faculty

by Katharine Harer and Joaquin Rivera,
AFT 1493 Co-Presidents



Now that the infamous Recall election is over, it's time to focus on the upcoming election on November 4th. Three seats on the SMCCCD Board of Trustees are open, and there are SEVEN candidates running. Several of these candidates are spending almost as much on their campaigns as a starting full-time instructor earns in our district! This makes for a highly competitive election.

AFT Endorses Two Board Incumbents & Mandelkern

The AFT, along with the San Mateo Labor Council, has endorsed the following candidates: Incumbents **Karen Schwarz** and **Pat Miljanich**, and newcomer **Dave Mandelkern**. (Please see pages 4-5 for candidate statements and photos.)

The leadership of the AFT met with all of the major candidates individually, we studied their lengthy Labor Council applications for endorsement, and we attended the Labor Council's Candidates' Night where representatives from labor unions interviewed and evaluated the seven Board hopefuls. After careful evaluation and discussion with our local COPE chapter, we came to the conclusion that Schwarz, Miljanich and Mandelkern will best represent the needs of faculty in our district and are the three candidates most prepared for the job. Our assessment was that none of the other candidates running would be a good match

for our Board. We weighed many factors in making our endorsement, but two of the most significant were their level of knowledge about faculty issues and their pro-union and pro-faculty stands.

This is a very important election for faculty in our district. Over the past 8 years the AFT has been successful in transforming a hostile and inaccessible Board into a Board that listens to faculty concerns and works to balance our issues against the sometimes conflicting interests of district administration. If you live in the county, please go to the polls on November 4th and vote for Karen Schwarz, Pat Miljanich and Dave Mandelkern — and tell your friends and relatives to do the same! Help students get involved by urging them to register to vote. We will have information on the three candidates on your campus soon. Help spread the word. We need Board members who are informed and who are willing to stand up for faculty.

Keep Giving Us Your Contract Ideas

In other news, the open forums to gather your input for negotiations have taken place on all three campuses and you have received information on how to fill out the online survey. This survey can also be filled out on paper if you request it from the AFT office. We will be putting together an initial proposal to the district before the end of the year, and remember that the entire contract is up for negotiations. While it's true that money is tight, there are — as the cliché goes — many ways to slice up the pie. With your strong backing, we can go to the table with issues and concerns that impact our teaching lives as well as our larger, daily lives. The

continued on next page

Presidents' Perspectives

continued from previous page

dramatic increase in the cost of benefits to faculty starting in January is an issue on many of our minds. Our uncompetitive salaries, even after the 7-3-3 pay hike, continue to eat at our wallets and our morale. Other issues such as class size, load and committee work overload, to name a few, are being discussed at the AFT forums. (See article, page 1, for more on the forums.) Please let us know how we can best represent you through filling out the surveys and continuing the dialogue with union reps on your campus.

We are still trying to get information from the district on unencumbered ending balances at the three colleges and whether class sections and part-time instructors will be brought back in the spring. Everyone seems to be waiting to see what the new governor will do with community college funding, so decisions appear to be on hold at the moment. The AFT and the Academic Senate have representatives, John Kirk and Rick Ambrose respectively, on the District Budget Committee. As of this writing, all of the figures were not made available to that committee either. It has been extraordinarily frustrating to watch classes dwindle and colleagues walk away from our colleges and not know what exactly is going on with funding. The AFT will get the information to you as soon as we have it!

Support Campus Equity Week

Finally, Campus Equity Week — October 27-31 — is firing up on campuses around the country. This year two-year colleges have linked to four-year institutions to carry the message that part-time instructors, contingent faculty, TA's and graduate students are underpaid second class citizens in higher education. Find ways you can support our district's hard-working part-timers — now 600 of them, many of whom are working decreased

CFT Calls on Arnold to Keep His Word to Fund Education

Shortly after the Recall election, the California Federation of Teachers (CFT) challenged Arnold Schwarzenegger to live up to his campaign promise not to cut education. "Mr. Schwarzenegger promised that he would not cut funding for California education," said CFT President Mary Bergan. "Our schools, community colleges and universities absorbed billions of dollars in cuts this year, and should not be candidates for budget reductions next year. In fact, we need to replace the losses we've already suffered relative to the gains we'd made before revenues plummeted in the wake of the dot com bust."

"California teachers and support personnel depend on the governor to champion the schools and stand up for adequate funding," Bergan continued. "We don't doubt Mr. Schwarzenegger's commitment to improving education. However, the reality is that California schools are laying off faculty and staff, increasing class sizes and reducing access to higher education. We look forward to seeing Mr. Schwarzenegger's proposals for funding education and reducing student fees."

Bergan noted that "During the campaign, Mr. Schwarzenegger declined to say 'never' to the idea of raising taxes—a prudent position. I hope he can convince some of his new-found friends in the Republican caucuses when he learns what it will take to fulfill his campaign promises to public education and school children."

loads due to the budget crisis. There will be activities on your campus for Equity Week (see page 1 for more info.). Thanks to Jenny Saarloos, part-time English instructor at Skyline, for her hard work organizing for CEW. □

ANSWERING YOUR QUESTIONS

CCC President Explains Problems with Professional Negotiators

*Some AFT 1493 members have asked whether it would be more effective if our Local hired a professional negotiator to represent faculty in contract negotiations with the District, rather than having our own faculty members in the AFT leadership do our negotiating. We asked CFT Community College Council (CCC) President, **Marty Hittelman**, to comment on this question. His answer is printed below.*

I would think twice before using a "professional negotiator." First, the CFT Field Representatives are professional negotiators and are there to assist you in negotiating your contracts. Second, I think it works better when you have someone negotiating for you that has an intimate knowledge of your district's culture and current agreement — something a "professional negotiator" will never have. Third, the person who comes to negotiate and leaves after it is over does not have to live with what has been negotiated — this changes their viewpoint on what is important and how important items are to the actual employees you represent. Fourth, negotiations are not a one-time event — they go on constantly and require some buildup of trust by the other side.

We hear criticism all the time about the uni-serve negotiators from the CTA who "know" what they need to negotiate and have a hard time listening to local priorities. We all have people within our faculty who have the skills or will quickly develop the skills to be excellent negotiators — and they have the rest of the CCC to help them with language and current practices around the state. □

AFT Endorsements for Board of Trustees

Three seats are open in the November 4 SMCCCD Board of Trustees election. AFT 1493 has endorsed incumbents Karen Schwarz and Pat Miljanich, and newcomer Dave Mandelkern. Their photos and statements are printed below.



Dave Mandelkern

I would like to thank the San Mateo Community College Federation of Teachers, AFT Local 1493, for their support and endorsement of my candidacy for the Community College District Board of Trustees in the November 4th election.

I'm running for this office because I want to ensure that our community colleges continue to provide the highest quality educational offerings that are both affordable and accessible to the people of San Mateo County. My qualifications include both a Bachelor's and a Master's degree from Stanford. I'm an active volunteer in the community and currently serve on the Skyline College President's Council for Innovation. In the past I've served on our County Office of Education Internet Task Force, and the Board of the Volunteer Center of San Mateo, among other organizations. As the founder of a successful educational software company, I've helped millions of people learn and improve their job skills. I know that education is the key to pursuing the American dream, and a quality education is one of the most important resources our government can provide. Our Community College District should serve as a tightly integrated partner with both our high schools and our four-year colleges and universities. It should also provide job training and life-long

continued on page 5



Pat Miljanich

It has been my privilege to serve as your representative on the College Board for the past eight years and I thank you for your endorsement. I have enjoyed the opportunity to work with you, other Board members, Chancellors, Presidents, staff, students and the community to accomplish exciting and innovative initiatives such as our \$207 million bond, the University Center at Canada, and the upcoming faculty and staff housing project. I will continue to advocate for increased funding for our colleges and work to defeat legislative efforts to remove local control, so that we can respond to the unique needs of our community as quickly and as creatively as possible.

For those who may not know my background, I am an attorney coordinating a nonprofit agency, Child Advocates, that recruits and trains volunteers who mentor and make reports to the Court for abused and neglected children/youth in the Dependency System. I am a former elementary school teacher and I have developed and run law related education programs for middle and high school students at University of San Francisco and Santa Clara Law Schools. I directed an agency in San Francisco, Legal Services for Children, that provided free legal and social services for abused and neglected children and I worked as an aide to Assemblyman Ted Lempert. I have four children who have all attended public elementary and high schools and I have considerable volunteer experience in the community and statewide.

When I ran for the Board eight years ago, I was concerned about the lack of respectful communication among our faculty, staff, administration and students. I believe we have made significant improvement in this area, but in this challenging fiscal environment, we all need to be vigilant in our efforts to listen to each other, find common ground, and be creative in our thinking in order to work productively on behalf of our students. I pledge that I will continue to be available to hear your concerns and will work to keep our communication positive even if disagreements arise. We must all work together to provide the highest

continued on page 5



Karen Schwarz

My husband, Frank, and I moved with our children, Katie and Jake, from San Francisco to the Serramonte area of Daly City in 1973. Katie and Jake attended public schools in the SSF Unified School District—Serra Vista Elementary School, Alta Loma Junior High School and El Camino High School. As our children grew, I became actively involved in their school's PTA and booster programs. Frank spent a great deal of time coaching little league baseball, youth basketball and AYSO soccer. Serramonte was our home until 1994. With our children in graduate school, Frank and I decided to move to Redwood City. We have lived in the Woodside Plaza area of Redwood City ever since.

Frank and I started a painting contracting firm in 1981. Our company has continuously operated out of San Francisco, providing union-quality work to our customers. Managing our company from day one, I have learned what it takes to grow a business into a sustainable entity.

In 1987, I became a board member for the San Mateo County Board of Education. Leveraging my involvement in my children's schools with the knowledge gained from running a business, I served dutifully until 1994. With my daughter's attendance at Skyline College, I began to believe I could contribute to the San Mateo County Community College District. Therefore, I decided to try to become a Trustee and in 1995 I was elected and reelected in 1999.

Why am I running for re-election?

The simple answer is that I still have work to accomplish and effort to contribute. Our colleges are poised to reach new heights. My involvement in promoting access to education and creating programs that our community needs to succeed have borne strong results. While this is a positive, many of these efforts are in their infant stages and many more programs are needed. With the state's current financial crisis and the state of the economy, our colleges must react creatively and our resources must be allocated responsibly in order to serve the public's interests. I have experience achieving results and carry a no-nonsense ap-

continued on page 6

Miljanich

continued from page 4

quality education for our students at an affordable cost for them. I know well from my experience as a Board member, that much of the responsibility for our academic mission sits on your shoulders and I will continue to support your efforts locally and statewide. Thank you for investing your expertise and energies in our students. I am proud of you and of our District. I look forward to continuing our work together. □

Mandelkern

continued from page 4

learning opportunities. In these challenging times, education is vital to creating a prosperous future for all of us.

I come from an academic family; my father was a college professor for 35 years. If elected to the board, I will be a vocal advocate for our faculty members, especially on issues such as part-timer equity, wages, workload, and benefits.

One of the other issues I feel strongly about is the need to increase transparency in the budgeting process and create a true shared-governance environment. We are indeed faced with a serious budget and fiscal crisis, but my belief is that the best outcome will result from all members of the campus community having a voice in setting our budget priorities.

I believe that actions speak louder than words. Here are two examples of what I've done recently to benefit our Community Colleges. This summer I worked with Assemblymember Mullin in Sacramento to make sure we preserved funding so high school students could continue to take community college classes during regular school hours. In response to the 64% fee increase that our students were hit with this fall, I proposed a novel funding source for a scholarship program to help our students stay in school.

To read my ten-point plan for the future of our community colleges, or to learn more about my campaign, please visit my web site at www.votedave2003.com.

In addition to the AFT, my candidacy has been endorsed by Congresswoman Anna Eshoo, State Senators Jackie Speier and Byron Sher; Assemblymembers Gene Mullin, Joe Simitian and former Assemblymember Ted Lempert; and current Community College Trustees Richard Holober and Tom Constantino (in addition to many other elected officials, city council members, school board members, and community leaders).

With seven candidates running for three seats on the board, this will be a difficult and challenging campaign. I appreciate all your support so far and hope that you will continue to encourage residents of San Mateo County to vote for me on November 4. Thank you. □

What Has the Union Done For Me Lately?

by John Kirk, CSM, AFT 1493 Chief Grievance Officer

Grievances are one of the on-going ways AFT 1493 fights for faculty rights. Below is a summary of some of the current grievances we are working on.

Post-Retirement Contracts

A post-retirement contract is a contract to teach up to 9 FLCs per year for three years after one retires. The rate of pay is currently \$2507 per FLC. This allows a newly retired faculty member to supplement his or her pension for three years. This provision of the contract has been a popular retirement incentive over the years.

Last fall the Cañada administration denied a number of post-retirement contract requests. The union accused the Cañada administration of a blanket denial of all post-retirement contract requests and threatened to file an unfair labor practice charge. The Chancellor wrote back and said that "There has been no blanket denial of requests for post-retirement contracts at Cañada College by President Perez." The union had in its possession a memo from a Cañada

Schwarz

continued from page 5

proach to management, requiring people to take personal responsibility.

Those who know me will say that "COMMUNICATION, COMMUNICATION, COMMUNICATION" is my mantra! I sincerely believe that progress can only be achieved through teamwork and teamwork only happens when every member of the team is on the same page. Getting everybody on that same page is where communication comes into play. It is not about simply talking. It is about exchanging ideas and listening with an open mind.

I have always felt that the easiest thing I can do is make sure that I listen to those that care enough to want to speak. I may not always agree with the speaker, but I often learn a new perspective or begin to see a way to solve a problem. At a minimum, anybody that speaks to me learns that I respect his/her point of view and am willing to constructively discuss his/her concerns.

Some candidates try to serve because the District is a countywide office that could serve as a springboard to different offices. I serve because I believe our schools are precious public resources. I have no ambition to move into any other position or run for "higher" office. My heart has been and remains dedicated to serving the San Mateo County community and its community colleges.

Once more I thank the members of AFT for their support and together we will go forward to make this District even stronger for our students. □

Dean which said: "Thank you for your memo regarding your intentions (retirement) for the coming year. I have consulted with the President again, and she is firm in her commitment not to offer post-retirement contracts to faculty who are contemplating retirement." The Chancellor wrote back to the union the following: "President Perez is aware of the memorandum you cite from (the Dean) dated December 13th. As a result, she immediately wrote a letter to (the Dean) correcting her information. Additionally, President Perez communicated to the employee who received (the Dean's) letter that the information was inaccurate and inadvertently misleading." The Cañada administration subsequently granted two post-retirement requests.

Last spring the CSM administration turned down a number of requests for post-retirement contracts, and those individuals, who had been turned down, decided to take the \$25,000 retirement incentive offered by the district. This fall the CSM administration turned down a post-retirement request for the following reason: "We do not know what our budget will be in year 04-05 and did not know the budget status for this year (03-04) when we denied Post-Retirement requests last spring. We may experience a mid-year budget reduction this year as we did last year." The faculty member responded that the college would save money if it accepted his request. The union has filed a grievance on the issue. The union claims that the administration cannot issue a blanket denial to all post-retirement contract requests but rather must evaluate each request on its merits. In addition, one campus cannot deny to its faculty contractual rights which are granted to faculty on another campus in the district.

Part-time Seniority

The Cañada administration eliminated all foreign languages except Spanish from the Fall 2003 schedule of classes (French, Italian and German were discontinued). As a consequence, almost all of the part-time language teachers at Cañada lost their jobs. One of the instructors had successfully taught at Cañada for 25 years. The contract, however, states that part-timers earn seniority at a particular campus and not in the district. (Part-timers can be on more than one seniority list if they have taught a class on more than one campus during the past 3 years.) It is obviously not fair that someone with 25 years seniority should lose his or her job while those with one or two years of seniority on another campus retain their jobs.

When the seniority section of the contract was written, the negotiators did not have in mind that day in the future when programs would be discontinued, put on hiatus or shifted to another campus. Because of these unforeseen consequences and the resulting inequity, on May 1, 2003, the union filed a formal demand letter with the Chancellor

continued on next page

Faculty Rights Defended at Senate Retreat

By Connie Beringer, District Academic Senate President

On Saturday, September 13, the District Academic Senate hosted an all-District faculty retreat at Woodside Village Church to discuss shared governance and, specifically, the role, rights, and responsibilities of the Academic Senate. A representative cross-section of faculty from all three colleges was joined by college presidents Perez and White, Trustee Karen Schwarz, and Dean Donna Bestock to hear presentations from State Academic Senate reps Irene Menegas and Michael Anker.

Anker, one of the drafters of the Title 5 section which deals with the 10 academic and professional matters on which the Academic Senate makes recommendations to the Board of Trustees (Section 53200(c) adopted by the BOG in July 1990), recounted the events which led up to the historic legislation which recognizes the important role of faculty in assuming primary responsibility for making recommendations in the areas of curriculum and academic standards. See below for a complete list of the "10 + 1" matters.

As Anker recalled the struggle to win approval for the agreement, in a very proud moment, he held up the well-worn document containing the minutes of the 1990 meeting at which the BOG approved the document. Both Anker and Menegas cautioned the group that threats to undermining the role of faculty can be found today in many districts and that we faculty must be ever vigilant to protect our hard-won rights.

The beautiful day ended with a session exploring some

of the issues we face in our own District. The Retreat provided participants an opportunity to exchange ideas in an informal setting.

Title 5: Academic and Professional Matters

Section 53200(c) "Academic and professional matters" means the following policy development and implementation matters:

- (1) curriculum, including establishing prerequisites and placing courses within disciplines;
- (2) degree and certificate requirements;
- (3) grading policies;
- (4) educational program development;
- (5) standard or policies regarding student preparation and success;
- (6) district and college governance structures, as related to faculty roles;
- (7) faculty roles and involvement in accreditation processes, including self-study and annual reports;
- (8) policies for faculty professional development activities;
- (9) processes for program review;
- (10) processes for institutional planning and budget development; and
- (11) other academic and professional matters as are mutually agreed upon between the governing board and the academic senate. □

Grievance Report

continued from previous page

asking that the District sit down with the union and negotiate a procedure for protecting those part-timers with significant seniority when programs are discontinued on their campus. On October 9, the union reminded the District that state law requires them to negotiate such matters with the union or subject themselves to an unfair labor practice charge. The District agreed to discuss the matter.

Bilingual/Seniority Issue

A part-time Health Science instructor who helped to set up the CPR and First Aid classes at Cañada in 1995 was told by the administration that he could no longer teach his classes because he didn't speak Spanish. Although he had taught the classes every semester since 1995, and the classes were not advertised as bilingual classes in the schedule of classes or in the Cañada catalog, he was replaced in the schedule by a newly hired teacher who spoke Spanish. Last spring, Cañada for the first time did offer this same course in Spanish (in addition to the class in English). The union filed a grievance arguing that his seniority was being vio-

lated. The administration settled the grievance and rehired the instructor.

Class Size

The Cañada administration unilaterally increased class size in a number of courses this fall. The union protested arguing that State law requires the district to negotiate any change in class size with the union. To date the Cañada administration has not responded. That leaves the union only one option—to file an unfair labor practice charge against the District.

Misplacement on the Salary Schedule

A full-time instructor when originally hired was placed in the wrong classification on the salary schedule. The District agreed to place the instructor on the correct position on the salary schedule but refused to give her back pay for the six year period she was underpaid.

The union filed a grievance for the back pay. The District settled the grievance by agreeing to pay her the full amount of her back pay. □

Who's Books Are They, Anyway?

District Throws Away Faculty Member's Books, Then Refuses to Replace Them, Claiming District Owns Desk Copies

By Jane Hetrick, Cañada,
DSP&S Coordinator

On August 14, 2002, when I returned from summer vacation, I discovered that my personal collection of books that I had collected (purchased books, free books donated by retiring faculty and complimentary or desk copies from publishers) were gone from an alcove outside my office.

For the last 13 years I had amassed 294 books in my collection. I had used this collection as a reference library for students in the Disability Resource Center over the years. I really loved my books; and I found them very helpful in tutoring students with learning disabilities. I had also told the staff assistant that they were my personal books, and I had given her a couple of them for a class she planned to take. I had also planned to use them in a private practice when I retire. Now they were gone. Here begins the case of the missing books...

District Takes 4 Months to Admit Responsibility

Four months later, after many inquiries and a plethora of emails which were met with no response, I finally discovered what had happened to my personal books. On December 12, 2002, the Interim Vice President of Instruction called me into his office for a meeting regarding my books. In that meeting he apologized profusely to me for the loss of my books. He told me that my books had initially been offered to the library and the divisions, but no one wanted them. The logical question is: why wasn't I notified or asked about them since I was the DSP&S Coordinator? No phone call nor written inquiry. Nothing. Common sense should have prevailed in this situation. But because neither the library nor the divisions wanted my personal collection of 294 books, they were apparently thrown away over the summer!

The Interim Vice President of Instruction apologized for the delay in responding, and I told me that I would be compensated for the personal loss of my books. I was told that I would need to provide a list of the books, and I then would be compensated.

I first provided a rudimentary list by category and did a rough estimate of cost—\$8000. The Interim Vice President of Instruction told me that I would have to provide a more specific list of books. Try to remember 294 titles. It is not easy. I spent 9-10 hours on the Internet, trying to create an approximate list of my books. I cited publishers, costs, etc. I received no response from the administration until March when I received a reimbursement form from Mr. Marquez, County Counsel. I attached my list, and made a strong disclaimer that this was only an approximate list of my books. I did not keep receipts for the books I purchased and my collection of books included complimentary or desk copies from publishers.

In March, 2003, I received a letter that was hand delivered to my office, informing me that a meeting was to occur on April 15, 2003, during spring break. The meeting was about my missing books. I took a colleague with me to that meeting in downtown Redwood City at the County Counsel's offices.

Counsel Says Desk Copies Are District Property

Mr. Marquez told me in that meeting that the books, specifically the desk copies, were not my books, but were rather the property of the District. He indicated that I only received the complimentary books in my capacity as a faculty member. This was a major shift from what was said in my meeting with the Interim Vice President of Instruction. Now the argument presented was that I did not OWN the books. We met for approximately one hour. Later I tried to appeal to the Chancellor, but there was

no response.

I tried to be reasonable throughout this ordeal. I would have gladly taken a settlement of \$2000 and the apology; I offered that to Mr. Marquez by phone after the April 15th meeting. He refused to entertain such a settlement, arguing that the books were not mine, but the property of the District. At my meeting with Mr. Marquez, he indicated that my list was not accurate. Out from under his papers, he produced an actual list of my books that the administration had the entire time! Apparently, the books were inventoried before being thrown out. The administration never told me about the list nor did they give me a copy. At the April 15th meeting, I asked Mr. Marquez for the list of my personal books, and he refused to give it to me.

Next Step: Small Claims Court

So on July 3, 2003, I had to resort to small claims court. I also had to subpoena the list of books as well. The administration still did not provide the court with the actual list of my books. At that proceeding, I had to ask Judge Clarke Leslie to have Mr. Joel, representative of the District, produce the list two times. I only received the list of books at the end of the hearing. Judge Leslie admonished Mr. Joel for putting me through "mental gymnastics" regarding my books and not providing the list. He also thought the District was very "insensitive" to me, considering I was a "24-year faculty member". Judge Leslie also told Mr. Joel that he would have never handled this situation in this manner.

During that court hearing, I provided documentation from publishers and our own administration regarding ownership of desk or complimentary copies from the publishers. That evidence, including emails and letters from Mr. Marquez and Martin Fassler, attorney for AFT, were provided to the

Court as exhibits along with letters from publishers and our administration demonstrating that desk or complimentary copies from publishers become the property of the faculty. On July 22, 2003, I received a judgment in my favor from the San Mateo County Small Claims Court. I sent a note to the Chancellor, asking for payment. No response.

District Appeals Decision

The following week I received a letter from Mr. Joel stating that the District had decided to appeal the San Mateo County Small Claims Court's decision.

On October 3, 2003, I went to court with Laura Ziegler Davis, an attorney from the law office that AFT has on retainer. Prior to that, Ms. Davis prepared a brief and prepared me for trial, including witnesses. I provided her with over 100 documents, including emails and letters. The hearing took over 1.5 hours, including opening and closing statements, exhibits, witnesses, and rebuttal.

Judge Sheldon asked questions of both attorneys and made interesting analogies in court, asking Mr. Marquez, for example, if retiring faculty had been granted legal "waivers" when they took books home. He also made an analogy with computers. When faculty leave the District they don't take their computers with them. But they do take their books with them. What was the difference between the two? Why were the books not under my ownership, despite the administration's error in throwing them out? We spent 4 hours in court on October 3.

Final Judgment

On October 9, 2003, I received a judgment on the small claims appeal. I received a judgment in my favor of \$3877.42 plus server/copying costs of \$97.00 for a total of \$3974.42.

I sent a bill to the administration for payment on demand. The average cost of my 294 books comes to about \$11, considerably below wholesale.

I am awaiting the payment for my missing books. □

Fall Census Report Shows Enrollment Down

Fewer Courses = Fewer Students = Fewer Faculty

According to Henry Villareal, dean of Enrollment Services at CSM, the District had a decrease of 6.9 percent or 2,019 fewer students for Fall, 2003 as compared to last year's figures at the same time. The fall 2003 census report shows that the enrollment at CSM is down 3.1 percent or 391 fewer students, Cañada was down 7.9 percent or 537 students, while the Skyline enrollment was down 11.3 percent or a loss of 1,088 students. Villareal noted that: "No doubt the budget ramifications requiring significant reductions in course sections and placing some academic programs on hiatus have contributed to the enrollment decrease."

As reported in the October *Advocate*, in August 2003 the district had 497 part-time faculty members on its payroll compared to 645 part timers in August 2002, which was a 23% decline in adjunct faculty. But August is a short month and we now have the numbers for the September payroll. In September 2003 there were 600 part timers who received a paycheck compared to 713 in September 2002. This is a reduction of 113 or 16% fewer adjunct faculty teaching in the district now than one year ago. This is still a huge cut, but a cut of 16% is a little better than a cut of 23%. □

CFT Invites Union Members to Conference on Teaching Labor Studies Issues

Would you like to know how you can help your students learn about unions, and have fun, at the same time? Have you ever wondered why teachers and other education employees are in unions? Would you like to know more about the relationship between your union and the rest of the labor movement?

Join your K-12 and post-secondary colleagues from throughout the state at the "Labor Education 101: In Your Classroom, In Your Union" conference on November 21-22 at the Crowne Plaza Hotel near the San Francisco Airport. Sponsored by the California Federation of Teachers, the conference is designed to help you with demonstrations of cutting edge social studies curricula (with breakouts for elementary, middle school, high school and community college), and with background information on more effective union activism.

Assemblywoman Jackie Goldberg, chair of the Assembly Education Committee and a former AFT member, will be the keynote speaker at the conference on Saturday, November 22. On Friday evening, Actor Ian Ruskin, playing longshore labor hero Harry Bridges, will perform his acclaimed solo show "From Wharf Rats To Lords of the Docks."

All AFT members are welcome. Lunch is provided on Saturday. There is no registration fee. For more information, contact your union office or the CFT at 510/832-8812. □

For the latest information of interest to community college faculty, check out:

aft1493.org

Issues for Negotiations Discussed

continued from page 1

legislation that was just passed?

Is it possible to change the **professional development program formula** that is now used? Currently the program is funded based on 1% of full-time faculty salaries, even though part-time faculty are now eligible to participate in the program. AFT was also urged to attempt to strengthen the language in the contract regarding the newly created **sabbatical program**.

The issue of **class size** came up. Apparently there are deans who are violating the enrollment limits that are listed in the enrollment reports that are sent regularly to each division. These limits cannot be unilaterally increased by deans. Class size is a mandatory subject for collective bargaining.

AFT was urged to negotiate a **higher medical cap** for full-time faculty. The idea of looking into a "cafeteria plan" was suggested.

There was also much discussion about **what percentage raise** the AFT should aim to achieve in the next round of negotiations given that there apparently will not be a COLA for faculty in the next State budget.

CSM Faculty Members Suggest Changes

The next day, September 30, there was a meeting held at CSM. The focus of this forum was in many ways similar to the discussion that took place the day before at Cañada. Some of the issues that weren't addressed at the meeting the previous day included the following:

Several faculty members urged AFT to attempt to negotiate more autonomy in the District's **personal necessity leave policy**. It was also suggested that we should adopt the CCSF definition of **what constitutes a family**. Many faculty urged AFT to attempt to negotiate a better **maternity leave policy**. The new policy, it was argued, should not have maternity leave come out of sick leave, and should also include men and domestic partners.

Can the District claim **ownership of work that faculty do while on sabbatical**? There was much concern expressed concerning this issue because of the current policy now contained in District Rules and Regulation.

It was suggested that AFT should negotiate **district-wide part-time seniority**, as opposed to the college-based seniority that is now the policy for adjunct faculty.

Faculty discussed what they perceive to be **deteriorating working conditions**—no chalk, no lecterns, not enough chairs, etc.

There was also agreement that there is a need to clarify the wording of **load** in the contract. The librarians, for example, would like to reduce their load down to 30 hour per week, which is the weekly hours for librarians at CCSF, Peralta, Mission-West Valley and other districts.

Skyline Faculty Discuss Contract Ideas

The last campus forum was held at Skyline on October 1. The discussion touched on the budget crisis in the District, with several faculty curious about how many administrative positions have been cut here. Or is the administration only cutting the number of part-time faculty? This practice is having horrible impacts on the integrity of the curriculum in many departments, as several full-time faculty members pointed out. The argument was made that AFT should attempt to put **class size maximums** in the contract for all disciplines, and not just for composition classes as is now the case. It was suggested that AFT should urge the Board of Trustees to develop an **administrative load factor** for the District. If we have a load factor for faculty and students, why not one for administrators?

It was also suggested that AFT attempt to add an **additional top step** on the faculty salary schedule. And the issue of load came up again with different faculty arguing that the loads should be brought down in the areas of library, PE, nursing, auto, and science.

The issue of **intellectual property**—who actually owns the work of faculty—came up in relation to online course materials.

AFT was urged to investigate **other medical benefit providers**, as the PERS program seems to be offering faculty fewer and fewer options at greater costs over the last years.

Again, the issue of strengthening the language concerning **post-retirement contracts** was mentioned.

And, finally, it was noted that apparently the **class size for online classes** has been raised (without the legal requirement to negotiate this!) from 45 to 60 students. AFT was urged to address this issue in negotiations.

Because of the low turnout at the meeting, it was suggested that another meeting should be held at Skyline and a second meeting is now scheduled for Thursday, October 23.

Clearly there is much work to do in preparation for the next cycle of negotiations. Any faculty member who is interested in participating in the negotiations process is urged to contact the AFT at 574-6491. □

**Don't forget to give us your input
on issues for
contract negotiations.**

**Fill out the faculty surveys at:
aft1493.org**

Deadline: November 8, 2003

Paper copies available by calling: 650-574-6491