

AFT and District open negotiations on non-economic contract re-openers

This year's contract negotiations have begun and the AFT team has met three times with the District. Associate Chancellor, Harry Joel, Mike Williamson, SMT Dean from Skyline, Rick Wallace, Counseling Dean from Skyline and Charlene Frontiera, Math/Science Dean from CSM, as well as Bruce Heid, the District's chief negotiator hired from a private firm, make up the District team. Joaquin Rivera, Katharine Harer, Victoria Clinton and Sandi Raeber make up the AFT team.

We are in the third year of a four-year contract; therefore, we are only bargaining three non-economic items this academic year: part time seniority issues, distance education and improvements to the grievance process.

Some of the issues the AFT is focusing on under part time seniority are: ensuring access to seniority lists by requiring Deans to send them regularly to the AFT office; changing the term from three semesters to four that defines a break in service triggering an instructor's name to be removed from the seniority list; strengthening language in the area of offering assignments to senior faculty before offering them to junior faculty; improving the process that occurs when an instructor's assignment is reduced; adding language on load seniority; protecting instructors from losing seniority when their assignment requests are not met.

Issues around distance education are being formulated with input from a large number of faculty in the District who teach online or telecourses. We have received many very helpful responses to the query sent out by Eric Brenner, and we want to thank all of you who responded. Your ideas were instrumental in the development of our proposals. Eric also reviewed many other colleges' contracts to find

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Close loopholes, not schools!



Throughout the state, CFT members, such as those in San Francisco (top) and Berkeley (above) and many others are protesting the governor's plan to solve California's \$16 billion budget deficit with cuts. In a state where K-12 education funding is 46th in the country and per-pupil funding for community colleges ranks 45th in the nation, cuts are not acceptable. CFT members are organizing locally, in coalition with other groups, and through legislative advocacy to change the governor's mind and put public education on a more solid footing. We must instead increase state revenues, that is, tax reform.

How to increase state revenues

It's time for fair tax policies to protect our schools and other public services from massive cuts. Beginning in 1993 the state Legislature went on a decade-long tax-cutting spree. The top marginal personal income tax rate was cut from 11 percent to 9.3 percent. The corporate tax rate was trimmed from 9.3 percent to 8.84 percent. Then Schwarzenegger, himself, slashed the vehicle license fee, which had raised \$5 billion per year, almost one third of the current budget deficit. The combined value of those and other tax cuts since '93 amounts to \$12 billion in the state's current fiscal year. Beyond these progressive revenue options is the need to reform Proposition 13, which builds in inequities between residential and commercial taxation. The solutions are clear. The legislature needs to act.

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PRESIDENT'S LETTER

Working towards harmonious balance: AFT leadership meets with Board members

by Ernie Rodriguez, AFT 1493 President

Dear Faculty Colleagues:

Spring is fast arriving. The semester is flying by and our recent weather has been lovely much of the time. I love those gentle blue sky days, the



warm and cozy feeling of the sun finally arriving after the gloomy days of winter.

When the weather is so nice I experience a sense of harmony and bal-

ance in nature--a sense of peaceful and pleasant serenity.

It is too bad that we, as humans, seem often to have a much more difficult time creating a sense of harmony and balance in our own affairs. Mother nature shows us the way to greater ecological balance, which we too often ignore at our own peril.

Our own little ecosystem

Our own little part of the world, the San Mateo Community College District, is a small social ecosystem in it's own right. Our ecosystem consists of various constituencies: students, the local community we serve, the faculty, the administration and our elected Board of Trustees.

My involvement in the work of our faculty Union has made me very aware of the struggle for harmonious balance between the various constituencies that make up our SMCCD ecosystem. In recognition of this struggle and the need to create harmonious balance within community college districts, the state legislature, in passing AB 1725 years ago, initiated the era of "shared governance"--the idea of "shared governance" be-

ing that districts should be governed through a collaborative, power sharing process.

Given the shared governance mandate of AB 1725, it is always appropriate to ask how our efforts to achieve harmonious balance are progressing. It is always appropriate to ask whether all constituencies are living in happy, ecological harmony in our own little SMCCD tide pool.

In a recent column, I recommended reconstituting a new version of the old AB 1725 Trust committee, consisting in equal parts of representatives from our administration, the Academic Senate and the AFT, to assess the degree to which our district is living up to the mandate of AB 1725 and effectively implementing "shared governance". I felt a sense of concern at the time that various constituencies were moving toward greater disconnection and disharmony.

A shared concern

As I reported in my last column, your AFT Executive Committee has been conducting a series of conversations with members of our Board of Trustees. While those meetings are still ongoing, it is already very clear that both the Board and Union leadership are similarly concerned about issues related to communication and collaboration between the Union, Board and administration.

Recent differences, particularly around the issue of administrative pay raises, have triggered a sense of concern both among Board members and Union leaders about Board / faculty relations. The initial motivation on the part of AFT in inviting members of our Board to come and dialogue with the Executive Committee was reflective of the desire of AFT's faculty leadership to have a posi-

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Contract negotiations begin

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good models for our District. We do not currently have language in this area in our contract, and since so many faculty are getting involved in this form of delivering instruction, it is crucial that we attend to this now.

Some of the items under consideration include: ownership of intellectual property; compensation for developing new courses and for added preparation; training needs; class size maximums; seniority rights for course developers; faculty evaluation procedures; a mechanism to provide input

on an ongoing basis on distance ed issues such as a standing committee that follows the Trust Committee model. We examined these issues during an all-day session on Monday, March 17th. AFT Executive Committee members, Eric Brenner and Alma Cervantes, joined the AFT team to lend their input to the discussion.

In the third area, the AFT proposal focuses on strengthening grievance procedures and on binding arbitration.

We have several sessions scheduled in March and April and will keep you posted when we have more

specific information that we can share with you. Meanwhile, you can go to the AFT website: AFT1493.org to see the union's initial proposals. But remember that these are our *initial* proposals; in the process of bargaining, anything can happen. So far, we feel progress has been made in communicating faculty's needs to the District. We'll see how the District responds and go from there.

In Solidarity,

The AFT 1493 Negotiations Team

President's Letter

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tive, productive relationship with both our Board and administration. I am proud that the AFT Executive Committee has been proactive in reaching out to our Board of Trustees and initiating this important dialogue.

Wanting our Board to understand

As AFT President, I am very concerned that Board members understand and support the legally empowered role of the Union. It is my hope that the Board can understand that it is the Union's job to present alternative perspectives that Union leaders feel more accurately represent issues related to our faculty contract and working conditions even when those perspectives differ from the views of the Board or administration.

As is typical of all District faculty, AFT leaders are accomplished, well educated, mature adults who have devoted their professional lives to working for the San Mateo Community College District. AFT leaders care deeply about students and the

well-being of the three colleges in our District. AFT leaders understand and support the authority of the Board. AFT leaders also understand that it is important to be respectful when communicating with the Board or administration. AFT leaders hope and expect that our Board and administration feel the same way when communicating with faculty even when strongly opposing viewpoints are being articulated. After all, isn't active debate and exploration of different perspectives at the heart of free speech and academic freedom? Isn't such respectful dialogue what we hope to teach our students?

I would never want our students, for example, to give up their heart-felt beliefs to agree with my own views. Rather, I would hope that through respectful dialogue everyone involved in the conversation might develop new understanding and awareness. In my view, we should not seek to discourage difference but to see difference as an occasion for dialogue and exploration of new possibilities. We should not begrudge others for seeing things differently, but should seek, through communication, to minimize polarization and seek win-win outcomes.

Rebirth and renewal

In my work as a psychologist, I have learned that difference and even conflict are a normal part of the process of human relationship and, if handled well, can lead to good outcomes. In the dialogue AFT leaders have had with Board members it is gratifying to be able to report consensus on both sides that ongoing efforts to improve communication are not only desirable but essential. I would like to commend Board members for their support for improved relations with the Union. My hope is that, going forward, current challenges in communication and collaboration, through dialogue, will lead to new levels of understanding, acceptance and greater harmony between the Board and the Union.

As spring break fast approaches, let me close by wishing everyone in our small corner of the world the very best during this spring season. Spring represents a time of rebirth and renewal. By the time you read this spring break will have passed. I hope that you, my faculty colleagues, will be returning for the end of the school year with renewed enthusiasm for the good work we do.

Mid-Year Update on the Concurrent Enrollment MOU

by Patty Dilko, SMCCCD District Academic Senate President

As defined by the California State Department of Education, concurrent enrollment occurs any time a student enrolled in high school takes a college course. Concurrent enrollment takes several forms in San Mateo County; our institutions currently allow high school students to enroll in classes located at the three colleges after their school hours and during summer break. The Middle College High School programs are another example of high school students attending classes on the campuses. We also offer college courses on various high school campuses taught by our faculty. In addition, we have long standing Tech Prep agreements, funded by a number of Federal and State program grants, that allow students to receive college credit for specific vocational courses taken at their high schools. Most of these courses can be applied to certificates, degrees and/or transferred to four-year institutions. During the 2006–2007 school year there were 3,954 concurrently enrolled high school students in our district as well as the cohort participating in the vocational technical agreements.

The District Academic Senate has recently released a report designed to update the San Mateo County Community College District (SMCCCD) faculty, trustees, staff, and administrators on the progress that the District Senate Governing Council has made toward fulfilling their commitment to exploring the viability of the specific form of concurrent enrollment that was suggested in a Memorandum Of Understanding (MOU) negotiated in June of 2007 between District Administration, AFT Local 1493, and the District Academic Senate. The full report can be found at <http://www.smccd.edu/accounts/smccd/committees/academicsenate/projects.shtml>

The “AP Plan”

In a welcome-back speech on Opening Day of Fall 2006, SMCCCD Chancellor Ron Galatolo expressed his desire to expand concurrent enrollment opportunities between the colleges and local high schools; thus began the dialogue regarding the benefits and challenges of enrolling high school students in college level classes. Later in 2006, the Chancellor and members of the administration in the San Mateo Union High School District introduced the possibility of converting Advanced Placement (AP) high school classes into college courses - specifically College of San Mateo (CSM) courses. In the spirit of shared governance, the CSM Academic Senate was approached and asked to explore the viability of this plan. What the “AP Plan” proposed was a new form of concurrent enrollment offerings in which the District would offer CSM courses at the local high school,

taught by qualified high school faculty, filled with high school students.

After extensive discussions among the District Academic Senate, AFT, and the District administration, an agreement was reached on how to proceed with exploring the viability of expanding concurrent enrollment specifically through allowing qualified high school teachers to teach college-approved college classes. This agreement was articulated in the MOU worked out in the summer of 2007. Of primary importance is that the MOU put exploration of the viability of the proposal in the hands of the District Senate Governing Council, and the decision to participate in the newly proposed form of concurrent enrollment in the hands of departmental faculty - the discipline experts.

Concurrent enrollment has long been supported in the California Education Code, and the Academic Senate for California Community Colleges (ASCCC) passed two relevant resolutions during the Fall 2007 Plenary. These well-researched resolutions called for local Senates to investigate opportunities for concurrent enrollment of high school students while emphasizing that faculty should retain primacy in curriculum/program development and evaluation.

District Senate Actions on the MOU

Over the course of four months, the District Senate held three open forums at College of San Mateo and during their regularly scheduled meetings at the District Office. In addition, numerous discussions regarding the proposal occurred during CSM Senate Governing Council meetings, beginning early in the Spring 2007 semester. These discussions revealed that District faculty have many of the same questions about concurrent enrollment program design as national researchers do. Primarily, what kind of planning must be done prior to implementing a comprehensive concurrent enrollment program? What components are essential to increase graduation and college success rates? What can we learn from others who are farther down the path?

Notably, while interest in creating a concurrent enrollment program based on the model described in the MOU was of interest to certain SMUHSD administrators in the Spring of 2007, follow-up conversations revealed that the CTA representatives for the teachers in the District and the Director of Curriculum Services felt that this move was premature and they recommended that SMCCCD faculty and administrators begin conversations with teachers and administrators at Hillsdale High School, the only school in the District that currently expressed interest in expanding their students' concurrent enrollment opportunities.

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In Memoriam: Professor/EOPS Counselor Pamela Ward-Smith

Cañada College EOPS Counselor, Pamela D. Ward-Smith passed away on Monday Feb. 25, 2008 after a lengthy illness.

Pamela came to Cañada in 1987 as EOPS Counselor/Instructor after eight years in the Student Personnel Service at Fresno City College. While at Fresno City College, Pamela developed the Hmong Club, reaching out to this community to encourage attending college. Pamela earned her BA in Social Work and Master of Art in Counseling from CSU, Fresno.

At Cañada, Pamela started the CARE Program (EOPS) in which her beloved students experienced her dedication, warmth and positive attitude until her last days. She had also been a faculty advisor to the African-American Student Club and various Black History Month events on campus throughout the past years.

Pamela was a proud member of FACCC and AFT 1493. She served as a campus representative for FACCC for sev-

eral years and had lobbied in Sacramento for funding.

Pamela dedicated her life to her family- her husband,



Anthony, her son, Maurice (20) junior at SFSU and daughter, Tiffany (16) sophomore at Moreau Catholic High School, Hayward. Pamela is deeply missed by her immediate family, sister, Dr. Connie Ward (Thomas) Atlanta, GA, father, Wallace Ward of San Antonio, Texas, CARE students, EOPS staff, friends and counseling colleagues throughout the state.

Memorial Service was held March 1st at the Chapel of the Chimes in Hayward. Phone the EOPS program (306-3300) at Cañada College for date and details for a pending tribute to Pamela to be held on the Cañada campus.

Submitted with love, respect and sister in spirit, dear friend and colleague, Cañada College AFT Executive Committee Rep. Karen Olesen

Concurrent enrollment update

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As a result of these extensive discussions among faculty members, and with administrators in both the high school and college districts, it has emerged that implementing an expansion of concurrent enrollment by using high school teachers in their current positions presents more challenges than benefits. However, most SMCCCD faculty feel that a broader discussion about how to strengthen the relationship between the systems would be extremely valuable.

District Senate Recommendations

The District Academic Senate Governing Council makes the following recommendations:

1. That District faculty, staff, and administrators work together with their San Mateo County high school district peers in developing comprehensive plans that address the needs of high school students in order to make a more seamless transition between high school and college.

2. That these partnerships be predicated on faculty-to-faculty discussions that are supported by academic and student support administrators and staff. And that they take into consideration emerging research from the field at both the 9 – 12 and community college level on curriculum alignment and student achievement.

3. That concurrent enrollment of well-prepared high school students in college level classes be just one integral part of the plan that helps students bridge the gap between the high school and college experience, and that sufficient college preparation and success experiences be built into every plan.

4. That the 2007 MOU be allowed to expire, to allow more comprehensive conversations to flourish.

While making these recommendations, the District Academic Senate Governing Council affirms that SMCCCD faculty are committed to strengthening partnerships that expand educational opportunities for high school students and provide increasing possibilities for a successful transition between high school and college.

Three tenure committees vote not to renew instructors' contracts

by John Kirk, AFT 1493 Chief Grievance Officer

On March 5th, the union held a district-wide workshop on "How to file a Grievance." This workshop was a follow-up to the three workshops held last year. The workshop covered the range of grievance issues—seniority, class size, health issues, under and over payment of salaries, summer assignments, hours of employment, step and salary placement, reasonable accommodations, denial of tenure, involuntary reassignments, personnel files, student complaints, disruptive students, evaluations, etc. The participants were guided through the various steps of preparing, filing and arguing a grievance.

Non-renewal of probationary instructors

Three Tenure Review Committees have voted not to renew the contracts of probationary (contract) instructors. Two of the instructors are in their second year and one of the instructors is in his/her fourth year. Under the contract, they all have the right to file a grievance contesting their non-rehiring. The second year probationary instructors, however, can challenge their evaluations only on procedural grounds, while the fourth year probationary instructor can challenge on both procedural grounds and on the "reasonableness" of the evaluation itself. Procedural issues can involve meeting timelines, making clear the expectations for earning tenure, biased committee members, providing enough time to make improvements, etc.

The union is required to file a grievance for each probationary instructor who requests representation. The union is not required, however, to take any grievance to arbitration. The union has filed a grievance for one of the probationary instructors and is preparing to file a grievance for another.

Challenge readings

It has been the past practice at the College of San Mateo for both full-time and part-time instructors to be paid at the Special Rate for reading challenge papers, essays and exams during the regular academic year (official 175 day academic calendar) and during non-instructional periods. This practice has been in place for at least 10 years.

During the Fall semester 2007, the CSM administration unilaterally decided that the past practice of paying full-timers (contract and regular faculty) for this work was "an error" which resulted "in a past practice that does not conform to the AFT contract." The administration alleges that the following section of the contract should have been applied:

AFT Contract: Appendix D

Additional professional responsibilities not subject to additional compensation for instructors on regular academic year contracts:

- assist in the placement of students in courses

The union argues that the administration is misinterpreting the contract. Grading papers is a required duty of all instructors, but that duty is limited to each instructor's own students. The reading, evaluating and grading of challenge exams is extra work, beyond what is required of each instructor. The Challenge process has a five day window to complete, which means teachers must read the challenges quickly and return the results to the assessment office within a couple of days.

The English department faculty sees a clear distinction between reading challenge packets and assisting with placement of students. "We recognize our duty to assist in the placement of students in classes, and we do so in several ways, including but not limited to the following:

- publicizing placement test dates;
- helping students to understand the

options available to them within the parameters of our programs (for example the distinctions between ENGL 165 and ENGL 110);

- recommending particular instructors to students based on our knowledge of individual student learning styles and personal preferences; and
- helping students already enrolled in our classes to find their way to a course that better suits their needs (primarily for English teachers, this means helping ESL students realize that they mistakenly took the native speaker placement test, informing them of where and when they can take the ESL test, and directing them to an ESL teacher for advice and assistance)."

The union has filed a grievance on the issue.

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AFT Local 1493 elections to be held in April

Newly elected officers will hold two-year terms

This April AFT Local 1493 will be holding elections to determine the leadership of the Local for the next two years.

Have you ever considered running for President, Vice-President, Secretary, or Treasurer, or member of the Executive Committee, of your Union? In other words, have you ever considered taking an active role in the organization that represents the interests of all faculty in this District? Would you like to contribute to the process of making some positive changes in this District for faculty? Of course, while doing this kind of work you would no doubt have the opportunity to meet and develop friendships with many interesting people throughout the District.

Union office entails various different kinds of tasks and responsibilities, ranging from representing the AFT at the negotiating table to working as a grievance officer, as well as running meetings and doing organizing projects for the Local. Some released time is provided for certain Union positions.

The Secretary's job includes recording the minutes of all of the meetings of the Executive Committee. The Treasurer's job includes receiving all monies, issuing receipts, depositing all monies, etc., as well as preparing all tax reports and maintaining financial records.

The Executive Committee conducts the business of the Union at its meetings, and makes recommendations regarding policy to the membership. If you are interested in taking an active role in the decision-making process for the Local, this is the place to do it! The Executive Committee meetings are currently held on the second Wednesday

of each month at 2:15 p.m. at each of the different colleges on a rotating basis. But the meeting day and time can be changed to accommodate the schedules of the members of the Executive Committee.

The Chapter Chairs at each of the three colleges bring the concerns of their members to the monthly meeting of the Executive Committee. Work as a Chapter Chair (or Co-Chair) is a good place to begin your work in the Union.

During a two-year term as a member of the Executive Committee, a faculty member would have a good chance to develop or improve their leadership skills. Members of the Local 1493 leadership team have various ways in which to hone their leadership talents: there are CFT conferences that newly-elected officers and representatives may attend such as the Union Leadership Institute, which will be held at UCLA this summer, as well as different workshops sponsored by the Community College Council from time to time. These are both excellent places to meet union activists from other Local's around the state and the country, and to develop new skills at the same time.

AFT Local 1493 is not just the President or any other single faculty member. It takes many people to make this Union work well as the representative of the interests of all of the faculty in this District. Please consider running for a Union position, and let's all together make this a better Union and a better place to work and teach. If you'd like to nominate yourself or another faculty member or if you have questions about the upcoming elections, please call the AFT office at x6491 or email Dan Kaplan at: kaplan@smccd.edu.

Grievance report

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Part-time librarians

The union is still waiting for PERB (Public Employment Relations Board) to rule on the Unfair Labor Practice charge that we filed in 2006. The issue involves the unilateral change in the hours of part-time librarians from a set, semester length contract to weekly changes in hours.

Part-time seniority

The union filed a formal grievance on the issue of overload pay (part-time seniority). The college president turned the grievance down. The union appealed the grievance to Level II and a hearing was held with the Chancellor. The Chancellor turned the grievance down. The union will have to decide whether to take the case to arbitration or not. We will first seek the opinion of our attorney on the merits of the case.

France: Court tells web site to stop grading teachers

The following article was published in the New York Times on March 4, 2008:

A French court ordered that a Web site can no longer allow the practice of letting students anonymously rate teachers by name. The court sided with teachers unions that argued that the comments represented a breach of privacy and an "incitement to public disorder." The Web site, which opened in January, is modeled after similar sites in the United States, Britain and Germany.

by John Tagliabue

New Higher Education bill may restrict requirements for student learning outcomes

from *Inside Higher Ed*, February 8, 2008:

The Higher Education Act bill, which gives most federal college programs the authority to operate for five years and was last renewed (because of repeated false starts since then) in 1998, touches on an enormously wide range of issues. Among many other things, the legislation would:

- Bar the U.S. Education Department from issuing regulations governing higher education accreditation, designed to ensure that colleges are measuring student learning outcomes. Education Secretary Margaret Spellings vehemently opposes the provision (leading the White House to "strongly oppose" the bill) and will try to alter it when House and Senate negotiators meet to craft a compromise version of the Higher Ed Act legislation in coming weeks. The legislation would also create a new federal position, an "ombudsman," to intervene in disputes related to accreditation.

The Senate has already passed its version of the higher education bill. The AFT has reported that the Union will work hard to make sure that the bill that results from the conference process is "one that reflects our members' priorities."

AFT 1493 Calendar

April 1493 Executive Committee meeting

Wednesday, April 9, 2:15 pm
Cañada 3-142

CFT Convention

April 11 - April 13
Oakland

May 1493 Executive Committee meeting

Wednesday, May 14, 2:15 pm
Skyline 1319

AFT Union Leadership Institute (ULI)

June 22 - June 27
UCLA

National AFT Convention

July 10 - July 14
Chicago

Call the AFT office at x6491 for more information

Look for two AFT 1493 faculty surveys coming soon:

Survey on our Spring Break schedule -

Should Spring Break be:
a. the week before Easter
b. the week after Easter
c. mid-semester (not tied to Easter)

Survey on The Advocate -

What do you like?
What do you not like?
What should we add?

