

**Los Rios College Federation of Teachers**  
**2126 K Street**  
**Sacramento, CA 95816**  
**October 4, 2023**

**Present:** Jason Newman, Belinda Lum, Oranit Limmaneeprasert, Michael Henderson, Linda Sneed, James Telles, Katie Carbary, Gabriel Torres, LaQuisha Beckum, Teresa Aldredge, Art Jenkins, Josh Fernandez, Rebecca Goodchild, Stephanie Rowe, Joe Farrelly, Veronica Lopez, Walter Kawamoto, Kay Lo, Leon Smith, Dennis Smith, Alisa Shubb, Kalinda Jones, Bill Miller, Iris Dimond, Kalee Christensen, Jackie Vargas-Ornate

**Excused:**

**Absent:** David Reese, Teresa Urkofsky

**I.** Newman convenes the LRCFT Executive Board 3:00 PM

**II.** Approve minutes of September 20, 2023, and agenda of October 4, 2023. Sneed seconds the motion. Motion carries.

**III. President's Report:**

September 20-Oct. 4, 2023

- General recommendations to board:
  - o Read agenda and board docs before meeting by accessing livebinder.
  - o Consider submitting agenda items: 1st draft of agenda sent one week before meeting.
  - o Keep motions clear on the floor
  - o Adhere to time limits of agenda items during board meetings.
  - o Chat reform: please use the zoom chat function sparingly.
  - o There is a new parking lot across the street from union hall!
  - o If you receive Reassigned Time or stipends related to LRCFT: Turn in written reports to Reina/me for second board meeting of month (campus presidents, chief negotiator, treasurer, graphic designer, DRT chair, legislative liaison, PAFC chair, and part time faculty board members receiving compensation at the second and third tier).
  
- General Issues over the past two weeks:
  - o ARC Davies Hall closure:
- ARC town hall meetings this week (Monday)
- LRCFT ARC town hall meeting Thursday 2 pm zoom
  - o NAGPRA moratorium
  - o LRCFT Committees
- Reassigned Time
- PTFIC ▪ Elections
- DRT
- Editorial Review
  - o LRCCD AVC Finance hiring committee
  - o DEIA email to faculty: peer review (to be sent this week)
  - o SCLC retreat planning
  - o CFT
- Standing committee meetings San Jose
- planning meeting: “the March in March” student rally at Capitol (March 4, 2024)
- What we propose to accomplish as a union this semester and year:
  - o Membership drive: 2023-2024
  - o LRCFT per caps pass thru/dues adjustment
  - o Electronic format for all LRCFT elections

- o LRCFT website update on-going o RT overhaul
- o Policies revamp o Union News
- o Communications Coordinator new RT position
- o Workshops to help faculty understand our new contract
- o Grievance workshops (2) for board members
- o Workshop on LRCFT representative duties o Part Time Faculty Issues Committee
- o Faculty Relief Fund o Stewards network and more membership meetings/social events
- o Cuba trip April 2024 planning
- o BOT future elections planning (two seats open: '24 and '26 Fall campaigns)

Meetings attended by LRCFT President since Sept. 20:

CFT (Vice President, California Federation of Teachers)

- 9/28: CFT March in March: (1 hour)
- 9/29: CFT committee chairs: (8 hours)
- 9/30: CFT committee meetings: (8 hours) SCLC (Recording Secretary, Sacramento Central Labor Council)
- 10/1: SCLC retreat planning committee: 2 hours LRCFT/LRCCD meetings/events:
- 9/20: LRCFT Exec. Board (2.5 hrs)
- 9/21: LRCFT PTFIC (2 hrs)
- 9/25: ARC President Cardoza: Davies Hall check in (1 hr)
- 9/25: LRCFT Elections committee (1.5 hrs)
- 9/25: LRCCD AVC Finance Hiring committee (1.5 hrs)
- 9/26: LRCCD Trustee Tami Nelson (1 hr)
- 9/27: ARC President Cardoza: Davies Hall check in (1 hr)
- 9/27: LRCFT RT committee (1 hr)
- 9/27: LRCFT DRT (1 hr)
- 9/28: LRCCD Labor summitt (1 hr)
- 9/29: ARC President Cardoza: Davies Hall check in (1 hr)
- 10/2: ARC Davies closure town hall Chancellor I (1 hr)
- 10/2: ARC Davies closure town hall Chancellor II (1 hr)
- 10/2: LRCCD steering (1 hr)
- 10/3: DAS (2 hrs)
- 10/4: AVC Finance hiring committee (1.5 hrs)
- 10/4: LRCFT RT committee (1 hr)
- 10/4: LRCFT Exec. Board (2 hrs)

#### **IV. Academic Senate Report: Shubb written report**

- At our 10/4 meeting, DAS voted to “Support and honor our Tribal Nations' request to the Moratorium on the Use of Human Remains, Native American Cultural Items, Images, and Reproductions of Native American Human Remains and Cultural Items under the condition that LRCCD engage Academic Senate appointed faculty from each college in any policy or procedure impacting curriculum and further, that LRCCD commit necessary resources in an expedited manner to provide teaching materials that ensure curriculum can be honored.” We expect for faculty engagement to take the form of some type of faculty weighted advisory committee at each of the colleges with a faculty-chaired coordinating committee at DAS.
- The District Ed Tech report to DAS included requests for DAS input on:
  - o Continued access to TurnItIn’s AI detection feature. (If there is faculty desire to include AI detection after January 2024, it will require an update of the TurnItIn tool and some additional costs. EdTech's recommendation is to continue with our current TurnItIn tool which will lose AI detection in January 2024)
  - o What online proctoring tool DAS would like to use prior to contract renewal. (EdTech recommends Respondus Monitor)

- o Start date to initiate multifactor authentication (MFA) for students across the district (proposed date from DETC is Jan 4, 2024) – DAS requested student and student senate input on this decision as well.
- District Curriculum Coordinating Committee (DCCC) report to DAS included the following:
  - o Resolution of support for 100% reassigned time for Articulation Officers
  - o Updates on DCCC fractional unit policy, Ethnic Studies graduation requirement, new AA/AS GE pattern aligned with the one being approved by the Board of Governors this month
  - o Concern that recent LRCFT statements have not emphasized shared responsibility (between LRCCD and faculty) for the accessibility of online content, and therefore may be contradicting the distance education statement in the course outlines of record and Title 5. Request was for DAS to issue a statement reminding faculty of the DE requirements listed in every COR that state “The distance education portion of this course shall maintain compliance with the Requirements of the Americans with Disabilities Act (42 U.S.C. § 12100 et seq.) and section 508 of the Rehabilitation Act of 1973, as amended, (29 U.S.C. § 749d). Examples of how the accessibility of course materials will be ensured may include (but are not limited to): the use of accessible documents (.doc, .pdf, etc.), alt-text for images, captioned videos, text transcripts for audio files, etc.”
- DAS continues to be concerned about lack of collegial consultation, particularly in light of the Chancellor’s responses at the ARC Townhall about the abrupt closure of Davies Hall. Major takeaways from the Townhall are: Submitted by District Academic Senate President Alisa Shubb
  - o Despite initial communication in July of 2022 that Davies Hall could be a significant safety hazard, no contingency plan was developed for a worst-case scenario.
  - o College administration was not informed of the potential safety concerns regarding Davies Hall until more than a week after the district received final report, thereby preventing local administration from developing a back-up plan.
  - o Despite the legal requirement to involve the Union in matters of health and safety, union leadership was not involved in the discussion to close Davies Hall, but along with Senate Leadership merely informed of the decision less than 24 hours before it was to be instituted.
  - o Faculty failed to see that district leadership had a plan in place to involve faculty in future decisions, or to recognize the value of faculty voice in the decision-making process.

**V. Chief Negotiator Report:** Lum written report

1. ARC Davies Hall
  - a. Will focus efforts on providing legal update and negotiations framework for ARC Faculty.
  - b. Listened online to both ARC forums with the Chancellor
  - c. Are continuing to hear stories related to bad or no communication, particularly as it relates to office relocations and classes.
  - d. Focus of Thursday forum will be to ensure we have catalogued the salient issues related to Davies closure impact on faculty, provide preliminary overview of legal response, and an overview of our negotiations framework.
  - e. We invite e-board members to attend, but ask that members of the EB listen but not speak. We want to hold space specifically for ARC Davies Hall faculty who do not sit on Union or Senate.
2. ARC – Cease and Desist on Success Coaches in Canvas Shells
  - a. ARC never produced a waiver that faculty signed
  - b. ARC never negotiated the role and what was viewable
  - c. Information can be derived directly from the instructor
3. ARC Homebases (Counseling)
  - a. Jason Newman and I received following email from Nicole Porter on 9/28/23
    - i. *“We had several meetings with Counselors to discuss concerns and next steps in regards to HomeBases. Our most recent meeting on September 26<sup>th</sup>, we shared that Counselors would continue to report to the Dean of Counseling under this current administration. Counselors will*

*not be reporting to Instructional Deans and will continue to support the HomeBases as current practice. Current Counselors who are housed in or close to HomeBases will continue and any new transitions to HomeBases will be planned with both myself, Nisha, Counseling Chair and Counselor(s) assigned to a particular HomeBase. This addresses the concern in regards to Counselors being under Instructional Deans. We will continue to have dialogue with the Counselors as we serve and support Students. Please let me know if you need any additional information.”*

b. I responded to the email with the following:

i. *We appreciate your update. As the ARC admin puts together a cohesive plan related to homebases, we would appreciate that these decisions were memorialized in that document. Having a singular plan where the concrete decisions are all housed allows us to write an MOU that addresses the collective interests of counseling faculty and to evaluate decisions related to the contract.*

#### 4. Moratorium on Human Remains and Cultural Artifacts

a. Have worked to try and provide clarity to faculty wherever possible.

b. This issue overlaps into both Union and Senate work.

c. The implementation at all colleges will be a heavy lift. Everyday there are new directions, questions, and concerns.

d. We have adamantly argued that having faculty voices involved is crucial to the process.

### ACTION

#### **VI. Treasurer Report: (1<sup>st</sup> Read)**

Rowe will submit monthly reports to the board. Proposed budget for 2023 – 2024 with updates is reviewed for board members. Smith suggests adding Part-time Committee as a line time since it is a standing committee of LRCFT. Rowe reviews submitted report for July – August 2023.

#### **V. Fall Elections Nominating Committee: (1<sup>st</sup> Read/Suspend/Action)**

Dimond moves to suspend the rules, Carbary seconds the motion. Motion carries. Newman reviews nominating committee process for the board. One member from each campus is nominated to the committee. Newman requests volunteers. Dimond from CRC, Goodchild from SCC and Fernandez from FLC volunteer. No volunteers from ARC. Newman will look for an appointment to represent ARC. Rowe moves to appoint Dimond, Goodchild and Fernandez to the Fall elections nominating committee, Lum seconds the motion. Motion carries.

#### **VIII. LRCFT Fall Elections: Electronic Voting: (1<sup>st</sup> Read)**

Henderson reports on costs of electronic voting for LRCFT. The American Arbitration Association quote is \$2500. Using electronic voting will be a savings to the union. The American Arbitration Association has worked with several groups similar in size of LRCFT. Henderson discusses the options AAA gave for fall elections. If LRCFT chooses to send the information to member’s emails, he will work with the district to confirm emails. Henderson reviews timeline AAA will need to set up an electronic voting system for LRCFT. Telles reports the elections committee is finishing up on language changes to the elections notice document that will be sent to LRCFT members. The changes will include information regarding electronic voting. Smith informs board members that changes to the language in the constitution pertaining to contract ratification needs to be changed from “mail-in vote” or “in person vote” to include electronic voting.

**IX. Steward Program Implementation: (First Read)**

Telles reports on several issues concerning implementation of the stewards' program that was passed by the board last semester. The elections committee has determined there are several issues in the context of LRCFT fall elections that require further discussion prior to implementation. Compensation and what is the relationship between steward's duties and rep duties are two issues of concern. The committee suggests LRCFT take extra time to hash out the duties, add and/or update language in the constitution or by-laws as needed to allow LRCFT members to vote on in the spring. Newman has communicated the issues with Sarah Smith from ARC. Jones discusses the Stewards program that was voted on. The program is not in the constitution. Telles clarifies that the duties and compensation of proposed stewards will cause stewards to have more duties than campus reps. Aldredge discusses the fact that the board did not consider implementation of the program and the board needs to reconcile language. Smith agrees with Aldredge regarding reconciling the language and should implement the program right the first time. Telles informs the board that the committee will complete the work for faculty to vote on in Spring 2023. The program will roll out in Fall 2024. The committee will need help from board members to review the constitution and by-laws, the suggested changes made from the audit and the stewards program language. Lum discusses running an election if there is not a contested election. Henderson suggests there is no need to run and pay for an election that is not contested. The union has not done so in the past.

**X. SCLC Salute to Labor Dinner: (Second Read)**

Aldredge moves to contribute \$2500 to SCLC's annual Salute to Labor dinner which takes place on November 16 at 6PM at the Golden 1 Center on the floor of the King's basketball court, Torres seconds the motion. Motion carries.

**XI. Run to Feed the Hungry: (1<sup>st</sup> Read/Suspend/Action)**

Newman discusses the upcoming Run to Feed the Hungry. LRCFT has funded a race team for many years for the Sac RTFH race event. Professor Mike Angelone from ARC has served as race captain. In the past, we have 25 team members x \$50 each for a total of \$1250.00. Rowe moves to suspend the rules, Dimond seconds the motion. Motion carries. Rowe moves to contribute \$1250 for a LRCFT team of 25 runners for RTFTH, Dimond seconds the motion. Motion carries.

**XII. Swag: (1<sup>st</sup> Read)**

Newman discusses the need for LRCFT swag needs to be replenished. LRCFT is reaching out to more members and nonmembers in person on our campuses and in our communities daily. Robyn Waxman is currently creating a new general LRCFT adhesive sticker with our logo to affix. We can also contract with our print vendor to turn the adhesive sticker into a magnet. Robyn also recently designed a LRCFT member sticker for use by the campuses. The proposal is to purchase 500 first aid kits with union logo for \$875. And 100 (\$873) or 200 (\$1518.00) aluminum water bottles with union logo. And 500 pocket sized jotter notepad with pen for \$725. Our new LRCFT logo sticker can be affixed to the notepad. In preparation for MLK and Cesar Chavez marches 2024, we should purchase another round of magnets with separate MLK/LRCFT and Chavez/LRCFT images as we have done in the past. The cost for 500 Chavez magnets and 500 MLK magnets is \$890.00. Newman confirmed with Rowe the available budget for swag is \$2500.

**XIII. LRCFT Response to Davies Hall:**

What options should LRCFT explore in response to the District's decision making surrounding the ARC Davies Hall closure. Henderson discusses the report and letter from LRCFT's attorney David Conway. Henderson discusses explored possibilities such as an unfair labor charge before the Public Employment Relations Board (PERB) and other strategies to hold the LRCCD Administration accountable for its lack of consultation with the Union and the disruptions caused to faculty as a result of the precipitous decision to close Davies Hall. Basis for an Unfair Practice Charge at PERB Conway noted that the decision itself to close Davies Hall is likely not a negotiable decision. That is, PERB would likely determine that such an action is a managerial decision that the District was permitted to make

without bargaining over the decision itself. Even when making non-negotiable decisions, however, employers are still required to negotiate over the bargainable impacts of those decisions with the employees' exclusive representative. This is called "impacts bargaining" or "effects bargaining." Beckum suggests filing a PERB charge with sending a letter of notification to the district. Limmaneeprasert states that ARC faculty want to pursue all avenues and supports Beckum's recommendation of filing a PERB charge with no notice to the district. Smith discusses the fact that a PERB charge outcome will not be much but at least LRCFT will have done something. Smith would like to know how faculty at other campuses feel about Davies Hall being unsafe. Shubb attended both town halls and reports faculty were not convinced of King's take and statements. Jenkins feels LRCFT leaders need a different strategy when working with the district. Creating friendships with district management is a way for district to divide union members. LRCFT should not continue to give the district courtesies, especially since the district has not treated the union with respect. Goodchild suggests moving forward with the PERB charge and notify faculty of the union's decision. Lum discusses the upcoming LRCFT forum. The union will lay out what LRCFT knows and ask faculty what LRCFT is missing. The goal of tomorrow's forum is to gather feedback from ARC faculty. Lum would like board members to attend and listen to faculty. Rowe calls for the question to suspend the rules, Dimond seconds the motion. Motion carries. Lopez requests affirmation from leadership that LRCFT did not know about the impending closure of Davies Hall. Newman reassures the board and will forward emails pertaining to that information. Jones discusses the cost of filing a PERB charge which can be up to \$50,000 but this is something that the union should use their funds for. Smith supports filing a PERB charge and supports going further if needed. Sneed supports ARC and LRCFT going beyond filing a PERB charge. Limmaneeprasert moves to file a PERB charge, Goodchild seconds the motion. Motion carries. Jenkins states that LRCFT should not notify the district of the PERB charge. Farrelly feels that LRCFT should notify King. The union should not be hypocritical and give the district leverage by not giving the courtesy of notification. LRCFT should model the behavior expected of the district. Henderson clarifies that the union is not obligated to notify the district.

### **Discussion**

#### **XIV. Update on DEIA BOG regs and CFT Complaint:**

Newman updates the board on DEIA BOG regs and CFT complaint. Newman met with CFT President, Jeff Freitas this weekend in San Jose to discuss the status of the complaint. Freitas has decided to meet with the new State Chancellor to give opportunity to address the issue. CFT is also working on CTA to join the complaint if needed. Henderson informs board members on the email addressing accessibility and postponement of CFT filing a complaint. Jones asks the status of the grievance. Henderson informs board members that LRCFT is moving forward with the grievance. Jenkins discusses exploring banding with another organization to file a complaint. Henderson informs board members that LRCFT will be on their own if we want to move forward with the complaint. Jenkins suggests continuing to talk with CFT regarding the complaint and possibly request funds to move forward with the complaint. Henderson will investigate possible funding from CFT as well as look at other organizations work with to file a complaint.

#### **XV. Emerging Issues:**

Rick Wathen of CTA discusses upcoming recall campaign of Emily McDonald, as K-12 school board member in Woodland. Wathen requests volunteers from LRCFT to walk and gather signatures.

Rowe moves to adjourn the meeting, Lum seconds the motion. Motion carries. 5:15 PM

Jason Newman, President

Stephanie Rowe, Secretary-Treasurer