

LOS RIOS COMMUNITY COLLEGE DISTRICT (District)
Memorandum of Understanding with
LOS RIOS COLLEGE FEDERATION OF TEACHERS (LRCFT)

January 2024

Background

On October 4, 2023, the District enacted a [Moratorium](#) on the Use of Human Remains, Native American Cultural Items, Images, and Reproductions of Native American Human Remains and Cultural Items. Prior to implementation of the District-wide moratorium, American River College had voluntarily agreed to impose a moratorium and begin the process of inventorying and repatriating Native American remains and artifacts in compliance with the federal Native American Graves Protection and Repatriation Act (NAGPRA) and the California Native American Graves Protection and Repatriation Act (CalNAGPRA).

As affirmed by the District Academic Senate's 15-1 vote in support of the Moratorium, faculty agreed with the District that the request by Local Tribal Leaders to implement the moratorium was an important step in healing our relationship with local Tribes, beginning the process of coming into compliance with the NAGPRA and CalNAGPRA, and demonstrating our District's commitment to anti-racism.

Although faculty supported the Moratorium, there were immediate and direct impacts to faculty workload because of the sudden mid-semester implementation of the Moratorium. Faculty in various departments needed to change lesson plans, order new materials, conduct inventories, and find documentation whenever possible. Many of the duties performed in connection with the moratorium require considerable professional expertise in the examination and identification of artifacts, specimens, and other materials held by the various divisions and departments within Los Rios.

The burden of this immediate work was placed on faculty with little notice and no provisions for refusal. This work was required in addition to their regular and overload duties, and in the middle of the semester with a short response deadline.

Despite no MOU being in place between the District and the LRCFT, faculty agreed to perform work related to Moratorium compliance in order to help the District meet impending January deadlines for the review of inventories at the colleges. The District has also agreed that due to the unprecedented circumstances, the standard ESA rate was not sufficient compensation for the work being completed.

The agreements set forth in this MOU apply to work at American River College that began during the 2022-2023 academic year, and the work currently being completed at Cosumnes River College, Folsom Lake College, and Sacramento City College. Compensation will be paid from the District's bucket.

Agreements

1. Faculty who completed the survey for Departments with no moratorium related items and marked the survey with N/A will be paid a flat rate of \$100.

For faculty in Departments with materials subject to the Moratorium, who were required to perform additional work to comply with the Moratorium, the following agreements apply:

- a. Faculty will be paid \$91.32 per hour, which is double the 2023-2024 Employee Services Agreement (ESA) rate (Salary Schedule B2/B3, Class II, Step 1).
 - b. The Union and District agree to doubling the ESA rate due to the special circumstances related to the implementation of the Moratorium.
2. Work related to Moratorium compliance includes:
 - a. Rewriting of curriculum for courses impacted by the Moratorium.
 - b. Work related to ascertaining ethical parameters of current collections (e.g. obtaining documents from companies).
 - c. Completion of department inventory survey.
 - d. Research of companies that can provide ethically obtained replacements or high quality synthetic replacements for remains used in classes.
 - e. College, District, and Union meetings related to Moratorium compliance.
3. Faculty work falls into one of the following categories according to the work completed as of December 22, 2023. Compensation is based on Dean approval and documentation provided by faculty.
 - a. Compensation Level One: Up to ten (10) hours of work.
 - b. Compensation Level Two: Up to thirty (30) hours of work.
 - c. Compensation Level Three: Up to sixty (60) hours of work.
4. The District has convened a NAGPRA Advisory Task Force to work on the District policy on the use of human remains. Members of the Advisory Task Force will be paid \$91.32 per hour, which is double the 2023-2024 Employee Services Agreement (ESA) rate.
5. All Faculty members of the NAGPRA Advisory Task Force will be compensated an additional four (4) hours for fall 2023 and an additional ten (10) hours for spring 2024.
 - a. All additional hours over the 14 hours may be used for FT College Service or PT College Service and Professional Development.
 - b. Faculty on the committee who receive reassigned time for this work will not receive a stipend.

6. Total compensation for work conducted in items 1-5 of this MOU will not exceed eighty (80) hours for any individual faculty member.

Signed by:

For LRCFT: Jason Newman, President & Belinda Lum, Chief Negotiator

For LRCCD: Mario Rodriguez, Executive Vice Chancellor & Jamey Nye, Deputy Chancellor