



From the Front

CCA President, Ron Norton Reel

Anticipating the possibility of legislators and the Governor not supporting the educational needs of our K-14 students,

CCA/CTA Introduces Initiative to Provide Funding for Education

CCA/CTA filed an initiative that would create a one-percent sales tax to provide additional ongoing and stable funding for schools and community colleges. Among the initiative's provisions is one barring the governor and lawmakers from diverting the new revenues for any other purposes outside of faculty and students.

The measure would generate from \$5-6 billion dollars annually. The community colleges would gain between \$500 and \$600 million dollars per year. The direction of this action will be determined at the January meeting of the CTA State Council.

Governor's Budget Proposal: Impacts Community College

Major
Features
Include

State Budget Shortfall of \$41.6 billion over next 18 months.

State Budget Shortfall of \$14.8 billion is from current 2008-2009 year.

Eliminates the 0.68% COLA (Cost of Living Adjustment)

Defers \$230 million January/February payments until July.

Defers \$200 million July payment until October.

Supports a 3% enrollment growth of \$185.2 million.

Eliminates COLA.

**Proposes to "reduce or eliminate" the property tax shortfall.
No details at this time.**

The 2009-2010 budget essentially maintains the 2008-2009 budget.



Hartnell Faculty Association Defends Two Faculty Denied Tenure

Success!

The Association successfully challenged the denial of tenure to one of its members who had been unanimously recommended for tenure by the member's administrative and peer evaluators but was denied tenure based on the member's alleged failure to attend department meetings and work the number of days for which the member was contracted.

The Association proved that the member in fact had attended department meetings and always had worked in accordance with a schedule approved by college administrators. The arbitrator therefore held that the denial of tenure was unreasonable and ordered the member reinstated to her former probationary position and reconsidered for tenure.

The Association successfully challenged the denial of tenure to another one of its members who had received satisfactory evaluations over the course of his employment and was given no explanation as to why tenure had been denied.

The arbitrator found that the decision to deny tenure was unreasonable because it was tainted by unfounded and unsupported charges. The arbitrator ordered that the member be given full tenure and be provided with back pay and benefits that he lost due to the unlawful tenure denial.

Governor Proposes Cuts - K-12 School Year by Five Days

This proposed cut-which the governor says would save \$1.1 billion would have a "devastating" impact on schools, which already do not have enough time to meet all instructional needs, according to Superintendent of Public Instruction Jack O'Connell.

Part-time Faculty Receive “Invisible” Pink Slips

The community college districts are cutting class sections for winter sessions, spring, and summer school. The impact of the cuts is fewer classes for over 150,000 students or over 5,000 class sections.

Thousands of part-time faculty will lose their employment because of these actions, which are truly unnecessary.

The CCA Consultant to Governance, Alan Frey, stated that “*With the current beginning balances in the community colleges and other alternatives, there is no reason for colleges to cut class sections.*”

Districts are Mandated—Coaching Assignments First To Faculty Presently Employed



ED Code Section 44919(b) requires districts to first make coaching assignments available to “teachers presently employed by the district.” The Association brought a writ of mandate seeking a court order for compliance.

The court granted the writ finding that the district’s refusal to even consider whether or not “teachers presently employed by the district” were qualified to serve as coaches for particular teams violated the Education Code.

CCA Building Strong Locals Academy Graduation

The third annual Graduation for Building Strong Locals Academy will be held at the CCA Winter Conference during the Saturday luncheon.

The current 20 candidates will have completed a year long training regarding various aspects of collective bargaining.

The academy is designed to make local chapters stronger by having faculty members who are trained to be strong advocates and support local leaders.

CTA v. Public Employment Relations Board (PERB)

The Court of Appeal-Fourth District reversed PERB's dismissal of a complaint charging the Journey Charter School with terminating three charter school teachers in retaliation for their exercise of EERA rights. The three teachers had been active in the leadership of the school and led an effort in July of 2004 to draft a collective letter from all of the teachers in the school to the parents alerting parents to significant problems in the school's management and raising concerns about the future direction of the school. PERB had found that the teachers were fired due to their role in writing and distributing the letter but that the act of writing the letter was not protected by EERA. The court disagreed.

CCA Chapter Negotiation Wins

Gavilan College Faculty Association: Changed its recognition clause to include part-time faculty in the bargaining unit.

College of the Desert Adjunct Association: Improved leave and evaluation language.

Copper Mountain Faculty Association: Maintenance of H&W for 2008-2009 and 2009-2010, two paid professional development days, and part-time faculty office hours.

Rancho Santiago Continuing Education Faculty Association: Improved sick leave and stronger complaint procedure language.

Lassen Community College Faculty Association: Going to mediation as no progress has been made in negotiations. Faculty have not had a salary increase since 2001.

Special Training For Locals

Napa Valley received membership training.

Monterey received training regarding Student Learning Outcomes to faculty representatives.

Napa Valley College received training regarding members benefits to the general membership.

CCA Chapter Representation

- *Coast Community College District* is asserting the chapter's right to communicate with certain staff.
- *Merced Community College District* seeking Skelly hearing and possible suspension.
- *College of the Canyons* is representing a member in an employment related criminal charge.
- *Butte College* is involved in a pending grievance over evaluation of a tenured faculty member.
- *College of the Sequoias* represented a full-time faculty member involving an altercation with a student. The faculty member received a favorable settlement with the district.
- *Lake Tahoe Community College* was visited by the four CCA officers and the Consultant to Governance sharing the benefits of membership.
- *Shasta College* is assisting a part-time faculty member who has not received an assignment for the spring semester.

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