



Mt. San Antonio College Chapter 262
Chapter Meeting Agenda
May 20, 2019

CSEA Chapter 262
2020 Executive Board

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Sandra Bollier

Past President

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1. Call to Order
2. Pledge of Allegiance
3. Agenda Check
4. Approval of Meeting Minutes: April 17, 2020
5. Introductions: New Members / Guests
6. Communications & Updates
 - a) Negotiations
 - b) CSEW Activities
 - c) Update/FAQ on Telecommuting
7. Old Business
 - a) Delegate Confirmation
8. New Business
 - a) CSEA Annual Conference Resolutions
 - b) Standing Rules
9. Reports
 - a) Officers Reports
 - i. Treasurer Report
10. Good of the Order
11. Adjourn

*“To improve the lives of
our members, students,
and community.”*



CSEA Chapter 262

April 15, 2020 Meeting Minutes

1:00 – 2:00pm

Executive Board Members in Attendance

- Robert Stubbe, President
- Barbara Carrillo, Secretary
- Mark Fernandez, Communications Officer

- Rosa Asencio, 1st Vice President
- Zak Gallegos, Treasurer
- Brandon Gillett, Site Representative Coordinator

- Marlene Espina, 2nd Vice President
- Elizabeth Jauregui, Chief Union Steward
- Sandra Bollier, Past President

AGENDA ITEM	OUTCOMES / NOTES
1. Call to Order	Meeting Chaired by Chapter President Stubbe, called to order at 12:05pm
2. Pledge of Allegiance	Led by Mark Fernandez
3. Approval of Minutes	Moved by Rosa, Seconded by Sandra; Motion passes with corrections
4. Introductions: New Members/Guests	Christine Romeo, Student Services Colleen Nelson, Natural Science Ramon Dashiell, Program Specialist in Counseling Brenda Delatorre, Child Development
5. Communications / Updates	<p>MOU: the COLA MOU was presented to the membership prior to the chapter meeting. Voting will take place via Survey Monkey for 24 hours. Voting will be anonymous.</p> <p>Negotiations: Robert shared that negotiations are still taking place. The District asked for our Intentions on negotiations and the number one priority of the college leadership right now is to trying to keep the college productive to our students. Robert said we would be flexible and creative solutions and looking at successor language. Time sensitive issues that are we are not able to be flexible are Health and Welfare because of open enrollment and Holidays, as well as anything related to this pandemic as it relates to working conditions. Two items that Robert has on his radar that will need to be addressed are the summer schedule and unit members who have children that are at home due to school closures.</p> <p>Catastrophic Leave Bank: Robert reported that there are folks in our unit that are in need of time, the bank is dangerously low. If you can please sign up and donate some time. Robert provided information and the history of the catastrophic leave program and how you can opt in to a reoccurring donation.</p>

AGENDA ITEM	OUTCOMES / NOTES
6. Old Business	NONE
7. New Business	<p>Nominations for Annual Conference: Annual conference will process in July as far as we know. Nominations were supposed to take place at the March chapter meeting but since that was cancelled due to the campus closure we will hold nominations today. Members were encouraged to nominate folks in the chat room and Barbara will record the names. Robert explained the role of the delegates at conference. Voting will take place through Survey Monkey. Barbara will reach out to all nominees.</p>
8. Reports	<p>Audit Report: Barbara shared the audit report dated March 4, 2020 Good report, no findings or recommendations. Robert thanked Zak for all his work and the auditing team.</p> <p>President: Robert has been very busy working on how to keep the chapter running and doing business off campus. Handling request from the District and passing it on the executive board such as negotiations. He is keeping up with the news in order to protect the unit. If you are asked to come to campus, be sure to stop by Campus Safety first (call ahead) and pick up a mask. Robert is learning how to sew masks.</p> <p>First VP: Rosa, if you have time and opportunity take advantage of POD workshops. There are a lot of good offerings for classified.</p> <p>Second VP: Marlene, hiring committees has been suspended for the time being.</p> <p>Secretary: Barbara, busy trying to become a Zoom expert. Shared that CSEA has been Sending out notices and announcements to members to help during these difficult times, There is financial services and health links that we should take advantage of. Provided Information and updates on the Mountie Fresh Basic Needs and the food pantry. We are still trying to serve our students that are in need by hosting a drive-thru food pantry. Visit the Basic Needs Website at : www.mtsac.edu/basicneeds</p> <p>Treasurer Report: Zak provided the March and April treasurers reports. Insurance Committee has been postponed. Zak clarified a question on membership and the turnover rate of members.</p> <p>Site Rep Coordinator: Brandon, is a student taking classes and wanted to give us a perspective from a student side. All the hard work in transition to online is working, there has been little disruption. Students are doing very well with this transition and conversation.</p>

AGENDA ITEM	OUTCOMES / NOTES
	<p>Communications Officer: Mark, thanked everyone for participating in our first zoom chapter Meeting and for their patience as we get acclimated. Mark provided information on how to record attending this chapter meeting on your timesheet.</p> <p>Summer 4/10 schedule, right now a decision has not been made, our contract is in full force and based on the contract we would still be on a 4/10 summer schedule, but this has not been discussed with the District. Robert shared this is a negotiable item.</p> <p>Mark reiterated on the Basic Needs Committee and how we can help students by donating to our Foundations Office, Mark made a donation and is challenging everyone to donate.</p> <p>Submitting contract forms, right now IT is working on electronic signatures. Mark provided Information on what is being accepted at the moment since we cannot provide hardcopies With signatures, the HR website will be updates soon.</p> <p>Catastrophic leave bank is very low, Mark donated some time and encourages members to Donate.</p> <p>Facilities Advisory Committee, has been doing a lot of behind the scenes work with all that is going on and provided updates.</p> <p>Over 3,000 classes got converted to online and wanted to give a big thanks to Robert, faculty, and classified staff for making this happen, this was a huge task.</p> <p>Steward issues may still come up, it is more important now than ever, if you having issues, be sure to contact Liz or Mark. Let them know what is going on. Mark shared some issues that have been brought to his attention during this virtual tele-commuting climate.</p> <p>Past President: Sandra, classification and re-classification committees are still meeting via zoom. This virtual environment is slowing down the process, so please be patient.</p> <p>Sandra reminded everyone to get outside and enjoy the sun. Stay safe, well and stay positive.</p>
9. Good of the Order	<p>Someone asked if there is a plan for us to return onto campus. Robert, no there are no updates. We expect that we would receive at least a week's notice of any changes.</p> <p>Gloria shared that members should know to complete their Power of Attorney form form CalPERS.</p> <p>Pandemic related issues are being discussed with the District such as homeschooling your Kids and that meshing with work. Mark shared that you can ask for accommodations from HR.</p>
10. Adjournment	2:07 pm

**MT. SAN ANTONIO COLLEGE
CSEA Chapter 262
Treasurer's Report
April 2020**

CHECKING ACCOUNT

Primary Checking Beginning Balance \$3,930.99

Deposits/Credits

Member Contribution \$ 481.00

Net Checking **\$4,411.99**

EXPENSES

Total Expenses **\$0.00**

Net Checking Ending Balance **\$4,411.99**

SAVINGS ACCOUNT

Primary Savings Beginning Balance \$16,326.27

Interest Earned \$1.39

\$16,327.66

Net Savings Ending Balance

\$20,739.65

TOTAL BALANCE AS OF 03/31/20

Number of CSEA Members 486

Number of Potential Members 58

Number of Victory Club Members 89

TOTAL CSEA 262 POSITIONS 544

Respectfully Submitted,
Zak Gallegos, Treasurer, CSEA 262



May 15, 2020

Resolution Bulletin No. 2-20

1. 2020 CONFERENCE RESOLUTIONS

2. COMMITTEE REPORTS AND RECOMMENDATIONS

Action for Chapter Presidents: Ensure your elected Conference delegates receive a copy of the attached resolutions and committee recommendations prior to the 2020 Conference.

A. SUBJECT MATTER

1. 2020 Resolutions and Committee Recommendations

Attached are the resolutions and committee reports and recommendations for delegate action at the 2020 Conference. The discussion on these resolutions at Conference will take place in the order presented in the attached document. They are divided and ordered as follows:

- (1) Resolutions Having Fiscal Impact;
- (2) General Policy Resolutions; and
- (3) Resolutions Proposing General Legislation.

Please note that, as updated financial information becomes available, revisions may be made prior to Conference.

B. REQUIRED ACTION

1. By Chapter Presidents:

- a) Make sure your elected Conference delegates receive copies of the resolutions and committee recommendations prior to the 2020 Conference.
- b) Encourage your elected Conference delegates to study the resolutions and recommendations prior to attending the 2020 Conference.
- c) Arrange for your Chapter's elected delegates to attend a Regional Pre-Conference Meeting to be held in your Region or Area. Information on these meetings is available from your Regional Representative.

(continued on next page)

- d) If your Chapter is receiving delegate assistance, your elected delegates must attend a Regional Pre-Conference Meeting. If your delegates fail to attend a Regional Pre-Conference Meeting, they will be ineligible to attend Conference. (See, Policy 621 in the CSEA Policy Handbook.) (See, also, General Information Bulletin No. 06-20 dated January 10, 2020.)

2. By Regional Representatives:

- a) For discussion at Regional Presidents Meetings, Chapter Meetings, and Regional Pre-Conference Meetings between now and Conference.
- b) Encourage delegates to study the resolutions and recommendations prior to the 2020 Conference.
- c) Your Regional Pre-Conference Meeting is an opportunity for delegates to learn about Conference procedures and program highlights, and answer any questions the delegates might have.
- d) If chapters in your Region are receiving Chapter Delegate Assistance, then their elected delegates must attend a Regional Pre-Conference Meeting in order to attend Conference.

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION



Keith Pace
Executive Director

KP:am:jbs

Attachments: 2020 Resolutions and Committee Reports and Recommendations

DISTRIBUTION:

Chapter Presidents; Board of Directors; Alternate Area Directors; Regional Representatives; Labor Relations Representatives; Chairpersons and Members, Standing Committees; Political Action Coordinators; Regional Communications Officers; Life Members and Honor Roll Recipients; Retiree Unit Executive Board; Retiree Council Presidents; All Staff

PREVIOUS BULLETIN INFORMATION:

Resolutions Bulletin No. 1-20, dated 02/21/2020, titled "2020 Conference Resolutions," was given general distribution.

2020 Conference Resolutions Table of Contents

Resolutions Having Fiscal Impact

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3	Amending Policy 623 Chapter Release Time <i>San Rafael Chapter 341</i> 7
7	Reinstatement of the Legal Department Update and the Quarterly Law Newsletter 11 <i>Santa Maria Elementary Chapter 129</i>

General Policy Resolutions

5	Revision of Standing Rules for Association Officer Nomination Speeches 15
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Resolutions Proposing General Legislation

2	Protecting Classified Employee Rights in a Merit System..... 19 <i>(Combined Resolutions No. 2, No. 6, and No. 8)</i> <i>North Orange County CCD Chapter 167</i> <i>Ocean View Chapter 375</i> <i>Tustin Chapter 450</i>
4	Student Centered Funding Formula <i>Mt. San Antonio College Chapter 262</i> 25

This booklet contains all 2020 Resolutions received and certified by the Association Secretary within the required deadlines for delegate action in accordance with provisions of the Association's Bylaws (Article V, Section 6), and which were deemed to be in proper form for delegate consideration.

The resolutions are NOT printed in numerical sequence and are printed in accordance with the preceding TABLE OF CONTENTS. The Association's Bylaws require that all resolutions having budgetary impact, regardless of subject matter, be considered first.

These resolutions were assigned to appropriate standing committees for review, based on subject matter, for the purpose of studying the issue and developing a recommendation for consideration by the delegates.

Resolutions were assigned as follows:

To the Resolutions Committee:

Nos. 1, 3, 5;

To the Communications Committee:

No. 7;

To the Legislative Committee:

Nos. 2, 4.

The committee analysis and recommendation is printed following each resolution. The "Author's Statement" from the resolution's sponsor (if one was submitted) is immediately following the resolution and before the committee's report. As updated financial information is available, some revisions may be made prior to reporting the resolutions to Conference.

(Resolution Nos. 2, 6 and 8 have been combined by Resolutions Committee as Resolution No. 2. Therefore, Resolution No. 6 and 8 are not printed in this booklet.)

RESOLUTION NO. 1
Voting Rights for CSEA Honor Roll Members

WHEREAS, the basis for granting placement on the Honor Roll shall be outstanding service, and

WHEREAS, the nominee need not be a member of the Association. The nominee may be awarded the honor posthumously, and

WHEREAS, this is the second highest honor the Association can bestow. Nominees must have provided valuable service to the Association; i.e., longstanding and exemplary service, or having performed a service for or on behalf of the Association that has resulted in a valuable benefit or recognition for the Association on an Area-wide basis, and

WHEREAS, Association Life Membership includes a voice and vote at any Conference, and

WHEREAS, all persons whose names appear on the Honor Roll shall be accorded a voice in the Annual Conference.

BE IT THEREFORE RESOLVED: That members of the Association, whose names have been placed on the Honor Roll receive voice and vote.

AND BE IT FURTHER RESOLVED: That Association Constitution Article II, Section 4 be amended to read:

ARTICLE II
MEMBERSHIP

Section 4. **ASSOCIATION LIFE MEMBERSHIP & HONOR ROLL**

(a) No Change

(b) Placement on the Honor Roll may be granted to any member or non-member only upon the recommendation of the Life Membership and Honor Roll Awards Committee and by a two-thirds (2/3) vote of the delegates at any Annual Conference, which shall carry with it a voice and vote for members only at any conference.

(bc) Any person awarded an Association Life Membership or placement on the Honor Roll, who has retired or is employed in a bargaining unit not within the jurisdiction of an affiliated Chapter shall be carried as an "Active" member.

AND BE IT FURTHER RESOLVED THAT: That Association Bylaws Article V, be amended to read:

2
3 **ARTICLE V**
4 **ANNUAL AND SPECIAL CONFERENCES**

5
6 Section 1. No Change

7
8 Section 2. **AUTHORIZED CONFERENCE VOTING STRENGTH**

9
10 (a) No Change

11
12 (b) No Change

13
14 (c) No Change

15
16 (d) No Change

17
18 (e) Members of the Board of Directors, Regional Representatives,
19 Chairpersons of Standing Committees as authorized in Article VI, Section 6 of the
20 Constitution, members of the Retiree Unit Executive Board as authorized in Article XIII,
21 Section 10 of the Bylaws, Honor Roll Members, and Life Members, shall be certified as
22 delegates to the Annual Conference upon presentation of officer credentials, Honor Roll
23 or Life Membership card to the Credentials Committee.

24
25 (f) No Change

26
27 (g) No Change

28
29 Section 3. No Change

30
31 Section 4. No Change

32
33 Section 5. No Change

34
35 Section 6. No Change

36
37 Section 7. No Change

38
39 **AND BE IT FURTHER RESOLVED THAT:** That Association Bylaws Article XI, be
40 amended to read:

41
42 **ARTICLE XI**
43 **LIFE MEMBERSHIP AND HONOR ROLL**

44
45 Section 1. No Change

46
47 Section 2. **HONOR ROLL.**

48
49 (a) No Change

50
51 (b) No Change

1 Resolution No. 1 (continued)

2
3 (c) No Change

4
5 (d) No Change

6
7 (e) No Change

8
9 (f) No Change

10
11 (g) All ~~person whose names appear on the~~ CSEA members who are
12 granted Honor Roll shall be accorded a voice and vote ~~in the~~ at Annual Conference.

13
14 (h) No Change

15
16 Section 3. **ASSOCIATION EMPLOYEES AND MEMBERSHIP**

17
18 (a) No Change

19
20 (b) Any person who is on the Honor Roll of this Association and
21 becomes an employee of the Association shall have his/her voice and vote privileges
22 suspended as long as s/he remains an employee of the Association.

23
24 (c) No Change

25
26 Section 4. No Change

27
28 **AND BE IT FURTHER RESOLVED:** That Association Policy 901.1 be amended to
29 read:

30
31 **901 LIFE MEMBERSHIP AND HONOR ROLL AWARDS**

32
33 **.1 Privileges Accorded Award Recipients**

34
35 .01 No Change

36
37 .02 ~~Honor Roll. Voice at Annual Conference. Honor Roll award~~
38 ~~recipients shall have their Conference Related expenses paid as~~
39 ~~follows:~~

40 (a) ~~actual and necessary round trip travel expenses in accordance~~
41 ~~with Policy 114.1.04; CSEA members shall receive~~

42
43 (1) a voice and vote at Annual Conference; and

44
45 (2) the following actual and necessary Conference related
46 expenses:

47
48 (i) round trip travel expenses in accordance with Policy
49 114.1.04; and

50
51 (ii) Housing expenses; and

1 *Resolution No. 1 (continued)*

2
3 (iii) Per diem allowance in accordance with Policy 113.

4
5 (b) ~~Actual and necessary housing expenses.~~ Non CSEA members
6 shall receive:

7
8 (1) a voice at Annual Conference and

9
10 (2) the following actual and necessary Conference related
11 expenses:

12
13 (i) round trip travel expense in accordance with Policy
14 114.1.04; and

15
16 (ii) housing expenses.

17
18 Certified January 27, 2020, hand-delivered
19 Monica Han, Association Secretary

20 Approved for Submission to the 2020
21 Annual Conference by the Retiree Unit
22 Executive Board at the January 8, 2020
23 Retiree Unit Executive Board Meeting

24 /s/ Ron Duva, Retiree Unit
25 Executive Board Chairperson

26 /s/ Teri Minoux, Retiree Unit
27 Executive Board Secretary

28
29 **Committee Analysis and Recommendation:**

30
31 Resolution No. 1 proposes to amend Association Constitution Article II, Section 4,
32 Association Bylaws Article V, Section 2 and Article XI, Section 3 so that **members or**
33 **former members of the Association**, whose names have been placed on the Honor
34 Roll are granted a vote at CSEA's Annual Conference. It also proposes to amend
35 Association Policy 901.1.02 so that **members or former members of the Association**,
36 whose names have been placed on the Honor Roll, are granted per diem while
37 attending CSEA's Annual Conference.

38
39 **Budget Impact:** Currently, there are 27 members on the Honor Roll. By granting per
40 diem for those members, this resolution would have an impact on the budget of \$6,480
41 for a four-day Conference and \$8,100 for a five-day Conference. Costs will change as
42 the number of members on the Honor Roll increases or decreases. The financial impact
43 is minimal and has no bearing on our recommendation.

44
45 Currently, Honor Roll members have a voice at Conference, and receive travel and
46 housing to attend. Placement on the Honor Roll is the second highest award the
47 Association can bestow. Nominees need not be a member, and they must have
48 provided exemplary service on an Area-wide basis. The Honor Roll is distinguishable
49 from the award of Life Member, which is the highest award the Association can bestow.
50 Nominees must be a member, and must have provided outstanding service to the
51

1 *Resolution No. 1 (continued)*

2

3 Association as a whole. Life Membership reflects the highest degree of dedication and
4 commitment to the purposes and ideals of the Association. Life Members receive a
5 voice and vote at Conference as well as travel, housing, and per diem to attend
6 Conference.

7

8 By granting voting rights and per diem to those placed on the Honor Roll, Resolution
9 No. 1 would make Honor Roll indistinguishable from Life Membership. The submitting
10 unit did not provide an author's statement to support this. The Resolutions Committee
11 focused on the distinctions between the two awards in formulating its recommendation.
12 The Resolutions Committee believes the rights and recognition of Honor Roll Members
13 must be distinct from Life Membership and must be consistent with the service they
14 have contributed. Granting the right to vote and per diem to Honor Roll members
15 diminishes the prestige and value of Life Membership. This is not to say that Honor Roll
16 members should be any less respected. On the contrary, Honor Roll members have
17 provided service to the Association which must be recognized. However, the current
18 language in Association governing documents provides a reasonable distinction
19 between the rights granted to our two highest honors and appropriately recognizes the
20 scope of their contributions to the Association.

21

22 The resolution as submitted will also create two classes of Honor Roll recipients
23 because only members may vote, and only members would receive the proposed per
24 diem. The resolution as submitted does not provide those benefits to awardees who are
25 not members. This means that some Honor Roll members may vote while others
26 cannot, and some Honor Roll members receive per diem while others do not. To create
27 two classes within the Honor Roll complicates the intended status – and honor – of this
28 award.

29

30 This resolution if adopted will all but eliminate the distinction between the privileges
31 associated with Honor Roll and Life Membership and will create two classes of Honor
32 Roll awardees. Therefore, the Resolutions Committee recommends a NO vote on
33 Resolution No. 1.

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RESOLUTION NO. 3
Amending Policy 623
Chapter Release Time Program

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5 **WHEREAS,** release time will be allocated to Chapters that represent more than one
6 district, and
7

8 **WHEREAS,** in the district that the President is not employed, the President will be paid
9 release time to attend monthly meetings with the Superintendent for the
10 purpose of meet & confer, and
11

12 **WHEREAS,** the President will act as Union Steward for the purpose of disciplinary and
13 or grievance, and
14

15 **WHEREAS,** CSEA shall allot paid release time on an annual basis at a maximum of
16 thirty (30) hours for superintendent meetings, union steward disciplinary
17 and/or grievance business, and
18

19 **WHEREAS,** CSEA shall pay additional unallocated hours for negotiation sessions in
20 the district that the President is not employed for the purpose to bargain,
21 and
22

23 **WHEREAS,** there are some Presidents that use their own earned personal necessity
24 and or vacation time to attend meetings and steward representation held
25 during regular school hours, and
26

27 **WHEREAS,** some Presidents with a shortage of release time are forced to reduce the
28 presence of the union in districts that may be vulnerable, and
29

30 **WHEREAS,** equity amongst all paying members should be preserved, not punitive due
31 to size of membership or lack of elected leadership in other said district,
32 and
33

34 **WHEREAS,** Presidents, as leaders of our union, are obligated to remain accessible,
35 engaged, and knowledgeable of their chapters' business for the
36 membership and needs of the Association, and
37

38 **WHEREAS,** some Presidents work late shifts, swing shifts, or weekend shifts, or 2nd
39 jobs and need to utilize additional release time to attend various meetings,
40 regional/local events/meetings, and other various functions, and
41

42 **WHEREAS,** Presidents who exhaust release time are prevented from supporting other
43 district's member-related duties, and
44

45 **WHEREAS,** chapters exist to serve the membership, through their duly elected
46 officers, and
47
48
49
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51

1 Resolution No. 3 (continued)

2
3 **WHEREAS**, in a post-Janus era, where unions are under attack and members are
4 leaving this union, now is the time to strengthen our foundation, make sure
5 that “ALL” members have the equal support as their responsibilities/
6 workload increases, and empower our union presence so that our union
7 members can be better supported, and

8
9 **WHEREAS**, without this change of added language to address and authorize release
10 time, chapters that do not have leadership presence could be discouraged
11 from participating in the union, weakening our strong and distinguished
12 union.

13
14 **BE IT THEREFORE RESOLVED:** That Association Policy 623 be amended to read:

15
16 **623 CHAPTER RELEASE TIME PROGRAM:**

17
18 1. The Association shall encourage and assist chapters to negotiate
19 **District-paid release time** into their contracts in order to build the Union
20 by enhancing service and member involvement, grievance processing,
21 political activities, site representative and union steward programs,
22 internal chapter communications, and membership recruitment.

23
24 2. **Chapter Release time.** With the approval of the Field Director or other
25 CSEA designated official, each President presiding in dual or multiple
26 districts in which they serve in the capacity of President shall be provided
27 a maximum of thirty (30) hours annual paid release time to attend monthly
28 meetings with other district superintendent in the district they are not
29 employed and act as Union Steward in disciplinary and or grievances.

30
31 Additional unallotted release time may be approved by the Field Director
32 or other designated CSEA official to attend negotiations sessions.

33
34 Certified January 29, 2020, postmark
35 Monica Han, Association Secretary

Submitted by San Rafael Chapter 341
Area B, Region 39
Approved at December 17, 2019
Chapter Meeting

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37
38
39 /s/ Katina Pantazes, Chapter President

40
41 /s/ Gayle Hartsook, Chapter Secretary

42
43
44 **Author’s Statement**

45
46 In the interest of the total membership, chapters with more than one district should be
47 granted equity of union presence to “ALL” members. Districts that do not have an
48 elected President in their district can feel neglected, unserved and vulnerable in said
49 district. It is an essential role of the President to attend superintendent meetings and act
50 as Union Steward and or grievances and should not be limited to just the district they
51 are employed. Providing the presence of the chapter president on a regular basis is

1 *Resolution No. 3 (continued)*

2
3 instrumental for the members within that district. By allocating release time union
4 presence will increase and equity amongst chapters with multiple districts will
5 prevail. This foundation has importance in order to maintain a strong union.

6
7 **Committee Analysis and Recommendation:**

8
9 Resolution No. 3 proposes to amend Association Policy 623 causing the Association to
10 provide thirty (30) hours of release time to each chapter president who represents a
11 bargaining unit which encompasses multiple employers.

12
13 **Budget Impact.** CSEA currently has six (6) chapters with dual or multiple employers.
14 The Resolutions Committee estimates that the budget impact for thirty (30) hours of
15 release time for all affected chapters will be a total of approximately \$5,625. The
16 financial impact has no bearing on the recommendation.

17
18 The authoring chapter indicates there may be members who are not fairly represented
19 because chapter presidents do not have sufficient release time to attend
20 representational meetings in another district. The authoring chapter contends that
21 presidents who exhaust contractual release time may not be able to attend to the needs
22 of the membership during normal working hours without the use of their earned
23 personal necessity or vacation time.

24
25 The resolution as submitted adopts a one size fits all approach for all chapters with dual
26 or multiple employers and assumes they all experience the same representational
27 issues. The Committee questioned why this issue would be resolved by resolution when
28 this issue is typically resolved at the negotiations table, chapter-by-chapter. The
29 Committee questioned why the Association would pick up the tab for release time under
30 this amendment to Policy 623 when Policy 623 currently encourages all chapters to
31 negotiate release time for themselves. Policy changes should be considered only for
32 issues that affect the membership as a whole. This resolution affects less than one
33 tenth of one percent of all CSEA chapters. Currently, the Association's responsibility is
34 to assist chapters to negotiate district-paid release time, not pay for release time for
35 specific chapters under highly specific circumstances.

36
37 The Resolutions Committee acknowledges the unique challenges faced by chapter
38 leaderships who represent bargaining units under more than one employer. However,
39 the Committee believes that current Policy 623 deliberately makes this a local
40 negotiations issue. The Resolutions Committee therefore recommends a NO vote on
41 Resolution No. 3.

RESOLUTION NO. 7
Reinstating the Legal Department Update and
the Quarterly Law Newsletter

WHEREAS, the California School Employees Association (CSEA) provides for the legal analysis on Association matters, including, but not limited to proposed action by the Board of Directors, contracts and proposed legislation, and

WHEREAS, member-leaders provide frontline representation on most matters within the scope of representation, and

WHEREAS, the Public Employment Relations Board (PERB) issued 92 decisions in the 2018-2019 fiscal year, and

WHEREAS, of those 92 cases, CSEA was a party to 8 of those cases, and

WHEREAS, there are 45 pending cases before PERB for the 2019-2020 fiscal year docket, and

WHEREAS, of those 45 cases, CSEA is a party to 2 of those cases, and

WHEREAS, CSEA has previously provided to staff and member-leaders “Legal Reviews” of PERB decisions in previous years, and

WHEREAS, many PERB decisions have an impact on CSEA members and the Association, and

WHEREAS, knowledge is power and the more information that staff and member-leaders have at their disposal, better, well informed decisions can be made in the interest of our members.

BE IT THEREFORE RESOLVED: That the Association be directed to reinstate the “Legal Department Update”; subject, “PERB Update of Unfair Labor Practice Decisions” and the Quarterly “Member Law” Newsletter, through CSEA’s legal department, to include regular legal analysis of PERB and other court decisions and pending cases that may have an impact on classified employees, their employer, or the Association to be provided to all member-leaders and field staff.

Certified February 3, 2020, postmark
Monica Han, Association Secretary

Submitted by Santa Maria Elementary
Chapter 129, Area I, Region 37
Approved at January 21, 2020
Chapter Meeting

/s/ Matthew Harris, Chapter President

/s/ Jennifer Escobedo,
Chapter Secretary

2
3 **Author's Statement**

4
5 CSEA has provided legal analysis in the past of legal decisions and other legal matters
6 that affect CSEA members and the Association. This review was prepared by the legal
7 department and this information was shared with member-leaders and Labor Relations
8 Representatives, as well as many others in CSEA. It is unclear why CSEA ceased
9 providing this very valuable information to staff and member-leaders, but it was likely
10 due to cost savings during the great recession.

11
12 School districts and community college districts often utilize legal consultation to
13 prepare for grievances, negotiation, PERB charges and other business matters. While
14 CSEA maintains our own in-house attorneys, chapters do not have direct access to
15 counsel. Legal questions and opinions are passed through the Labor Relations
16 Representative to the lawyers and then back down to the member-leader. Sometimes it
17 is a single question that may take days to get an answer. Many member-leaders are
18 good at researching legal questions, while others look to the Association to give them
19 guidance. I believe these updates will benefit everyone.

20
21 In the 2018/2019 PERB docket, there were ninety-two cases, eight of which named
22 CSEA as a party. In the 2019/2020 PERB docket, there are as many as forty-five cases
23 before the board, two of which CSEA was a named party. At no time during 2018 or
24 2019 were these cases discussed with member-leaders, beyond perhaps the involved
25 parties. Every case under the name CSEA is a case that involves all of CSEA. We
26 represent over 250,000 members throughout California and each of us have a stake in
27 what our legal department does at PERB or in court.

28
29 An example of some of the legal updates provided by CSEA's legal department include,
30 October 25, 1991, from Margie Valdez, subject line, "Persian Gulf Holiday". This case,
31 CSEA v Governing Board of San Leandro Unified School District, was a win for CSEA
32 that awarded holiday pay to employees of the SLUSD for days declared by then
33 President Clinton commemorating our victory in Persian Gulf war.

34
35 Another example is June 25, 1999, from Maureen Whelen, subject line, "Legal Update
36 East Side Union High School District v. PERB, and CSEA". This was a huge victory of
37 CSEA from the Court of Appeals. The case centers around cafeteria positions losing
38 benefits as they became vacant. The appeals case, which named both CSEA and
39 PERB as parties, upheld PERB's own ruling in the case that found that ESUHSD
40 committed an unfair labor practice when it did not negotiate with CSEA over the
41 changes to benefits for vacant positions. It was previously decided by PERB that
42 changes to benefits based primarily on labor cost savings was negotiable.

43
44 Another example is March 6, 2000, from Alan Hersh, subject line, "CSEA's right to
45 home addresses and telephone numbers of all non-managerial employees." This legal
46 update addressed a PERB proposed regulation that CSEA fought against, and PERB
47 eventually withdrew it. It had to do with releasing contact information of non-managerial
48 employees to the Association. Extensive research went into this particular PERB
49 hearing where CSEA submitted testimony and written comments.

1 *Resolution No. 7 (continued)*
2

3 As a member-leader, I find this kind of information invaluable. It adds value to our
4 membership. If there is a legal question in the South, you can bet that they have a
5 similar question in the North. The information shared through these updates can help
6 leaders make a more informed decision. It also provided a look inside our legal world of
7 labor and education employees. Every dollar spent on legal analysis and case litigation
8 is shared by all CSEA members.
9

10 All the more reason to share the information on a regular basis.
11

12 **Committee Analysis and Recommendation:**
13

14 Resolution No. 7 proposes that CSEA “reinstate the “Legal Department Update”;
15 subject “PERB Update of Unfair Labor Practice Decisions” and the Quarterly
16 “Member Law” Newsletter, through CSEA’s legal department to provide legal
17 analysis of PERB and other court decisions that may impact classified
18 employees, their employer or the Association, and provide to all member-leaders
19 and field staff.
20

21 **Budget Impact:** This resolution as submitted is not clear if the Legal Newsletter
22 would be a printed newsletter. However, Resolution No. 7 proposes that CSEA
23 “reinstate the “Legal Department Update””, “PERB Update of Unfair Labor
24 Practice Decisions” and the Quarterly “Member Law” Newsletter. The costs
25 associated with printing and mailing a quarterly, hard copy newsletter to 1,300
26 member leaders and staff would impact the budget by \$3,172. The financial
27 impact is minimal and has no bearing on the recommendation.
28

29 The committee received input from the legal department, who is also looking at
30 Resolution 7.
31

32 The committee feels that reinstating a “newsletter” is a step backward as a mass
33 mailing is not timely due to the time necessary for printing. In addition, it was felt
34 that through the mail, it could potentially fall into the hands of anti-worker/anti-
35 union groups and used to the detriment of the Association. The decisions made
36 by PERB are currently included in “Leadership Mail” and placed on the website.
37

38 Additionally, the committee realizes that the Field Office Staff receive updates in
39 real time and better understand the legalese of the decisions and are the best
40 resource for the member-leaders of CSEA concerning PERB decisions that
41 impact our members.
42

43 The committee recognizes the need for an understandable analysis on decisions,
44 with a centralized location on the CSEA website with a searchable database.
45

46 The Communications Committee recommends a NO vote on Resolution 7 (2020).
47
48
49

RESOLUTION NO. 5
Revision to Standing Rules for
Association Officer Nomination Speeches

WHEREAS, this great union is proud to be member-controlled, and

WHEREAS, the Association provides for a democratic election of the Association Officers via the delegates present at odd-number Conference years, and

WHEREAS, the Standing Rules provide for candidate speeches and a question-and-answer session, and

WHEREAS, candidates are not chosen at random to speak to the delegates, and

WHEREAS, candidates may have a perceived advantage in adjusting their speeches or answering questions if they are on the Conference floor at the same time as other candidates.

BE IT THEREFORE RESOLVED: That Standing Rule A contained within the Association's Constitution and Bylaws be amended to read as follows.

A. CANDIDATES FOR ASSOCIATION OFFICE.

1. No Change

2. No Change

3. Candidates shall be selected to speak in random order by blind name draw. Candidates who have not yet spoken shall be escorted away from the Conference floor until it is their turn to speak. Each candidate shall be allowed not more than ten minutes to outline his/her qualifications. An additional ten minutes shall be allowed each candidate to answer questions from the floor.

4. No Change

5. No Change

6. No Change

Certified January 30, 2020, postmark
Monica Han, Association Secretary

Submitted by Ocean View Chapter 375
Area H, Region 12
Approved at December 17, 2019
Chapter Meeting

/s/ Jason Bozarth, Chapter President

/s/ Dawn Bledsoe, Chapter Secretary

2
3 **Author's Statement**

4
5 This resolution aims to make the nomination process fair for all candidates running for
6 the Association offices of President, First and Second Vice Presidents, and Secretary.
7 Our current Standing Rules don't say in what order candidates speak, which means the
8 order could arbitrarily be changed at any time. Candidates could gain an advantage in
9 hearing the speeches being presented or questions being asked before it is their turn.

10
11 It may seem like a simple change, but it is one that would further level the playing field
12 for any candidate running for Association office. Randomizing the order of candidates
13 ensures that no one member is favored over another. Ensuring that the candidates are
14 off the Conference floor before it is their turn discourages candidates from gaining an
15 unfair advantage from hearing the patterns of speeches and questions being asked,
16 adjusting their strategies to favor their campaign.

17
18 Please vote **YES** on this resolution to ensure the integrity of our nomination and election
19 processes for the future of our democratic, member-controlled union.

20
21 **Committee Analysis and Recommendation:**

22
23 Resolution No. 5 proposes to amend Association Standing Rule A to require that
24 candidates be selected in random order to deliver candidate speeches and that they be
25 escorted from the Conference floor when they are not speaking.

26
27 The resolution intends to create fairness by eliminating perceived advantages. Under
28 the current rule, candidates are selected in alphabetical order to speak, and those who
29 speak last might favorably alter their prepared campaign speeches based on what they
30 hear from the candidates who precede them.

31
32 The Resolutions Committee acknowledges how there can be a perception of advantage
33 when candidates speak in a particular order but does not see any actual unfairness with
34 the current rule. Hearing other speeches may help candidates become aware of popular
35 or unpopular positions of the delegates. This may cause them to shy away from certain
36 topics or prompt rebuttals. On the other hand, candidates may focus on their own
37 speech, unconcerned with what the other candidates are presenting. There may be no
38 advantage to hearing the question and answer session for another candidate if, for
39 example, different questions are asked of different candidates.

40
41 The Committee also considered that candidates may be voting delegates and removing
42 them from the Conference floor during speeches would partly exclude them from the
43 democratic process. As a delegate, being present on the floor is an essential member
44 right. The resolution as submitted does not make clear if a candidate is removed for all
45 candidate speeches or if a candidate is removed for only their opponent's speeches for
46 each elected position. In addition, due to loud sound systems used at Conference,
47 merely removing candidates from the floor won't prevent them from hearing speeches
48 delivered on the other side of a door. The resolution as submitted does not address
49 these practical considerations.

1 *Resolution No. 5 (continued)*

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After deliberating the advantages and disadvantages of this resolution, the Resolutions Committee determined that CSEA delegates are diligent when selecting their leaders. Both sides of the argument have merit. The Resolutions Committee therefore submits NO RECOMMENDATION on Resolution No. 5.

1 **RESOLUTION NO. 2**
2 **Protecting Classified Employee Rights in**
3 **a Merit System Election**

4 *(Revised by Resolutions Committee to Combine With*
5 *Similar Subject Matter Resolution)*
6

7 **WHEREAS,** the California Education Code contains provisions for a merit (civil service)
8 system to be operable in a K-12 school district, community college district,
9 or county office of education, and
10

11 **WHEREAS,** the merit system provides key legal protections to classified employment
12 in addition to the collective bargaining agreement (contract) for classified
13 employees and is designed by law to ensure the hiring, promotion, and
14 retention of the most qualified classified employees, and
15

16 **WHEREAS,** the Education Code provides for an election of all classified employees on
17 the merit system, and
18

19 **WHEREAS,** the law does not provide the same protections for a secret ballot, a fair
20 and impartial election, nor the same rights in a merit system election that a
21 classified employee would deserve in a regular civic election as a
22 taxpayer, and
23

24 **WHEREAS,** classified employees deserve to make a decision that is rightfully theirs,
25 with the confidence that the same laws, processes, and protections that
26 they would expect as a voter in any election will ensure that their voice is
27 heard.
28

29 **BE IT THEREFORE RESOLVED:** That the delegates to this 94th Annual Conference
30 direct the Governmental Relations (GR) Office of this great Association to bring forth
31 legislation ensuring that classified employees have a stake in the merit system election
32 process and ensure that management and the union both have equal opportunities to
33 present merit system information.
34

35 Certified January 30, 2020, postmark
36 Monica Han, Association Secretary

Submitted by Tustin Chapter 450
Area H, Region 94
Approved at December 19, 2019
Chapter Meeting

37
38
39
40 /s/ Luis Guerrero, Chapter President

41
42 /s/ Yvonne Bonilla, Chapter Secretary

43
44 Certified January 30, 2020, postmark
45 Monica Han, Association Secretary

Submitted by Ocean View Chapter 375
Area H, Region 12
Approved at December 17, 2019
Chapter Meeting

46
47
48
49 /s/ Jason Bozarth, Chapter President

50
51 /s/ Dawn Bledsoe, Chapter Secretary

1 *Resolution No. 2 (continued)*

2
3 Certified February 3, 2020, postmark
4 Monica Han, Association Secretary

Submitted by North Orange County
CCD, Chapter 167, Area H, Region 22
Approved at December 18, 2019
Chapter Meeting

5
6
7
8 /s/ Dawnmarie Neate, Chapter President

9
10 /s/ Summer Marquardt,
11 Chapter Secretary

12
13 **Author's Statement**

14
15 In any election, everyone deserves to make their choice and feel it is completely their
16 own. No one should ever feel they must vote a certain way because they feel they will
17 lose a privilege, status, right, or even their job. Our Association Policy already provides
18 procedures and protections when it comes to elections of any kind, whether it be as
19 simple as a motion at a Chapter meeting, to a contract ratification election, to something
20 as big as a Conference resolution. For regular civic elections, there is even a Bill of
21 Rights for voters written into state law! Voters have rights and know exactly what to
22 expect when casting their vote in any local or state election.

23
24 One would think the same rights in any election would extend to a merit system
25 election. Unfortunately, this is not the case. While the merit system is designed to give
26 Chapters additional protections on top of the Chapter's contract and provide for the
27 hiring, promotion, and retention of the most qualified classified employees (when
28 Chapters are actively engaged with their own Chapter-appointed personnel
29 commissioner), an election amongst the classified employees is typically required to
30 adopt the merit system. There have been several cases over the last few years where
31 school districts and community college districts have taken it upon themselves to ensure
32 that classified employees don't have a say in the election that mostly affects them. The
33 cards are stacked against our members.

34
35 At least 15% of all the classified employees in the district/COE must sign a petition to
36 call for an election to adopt the merit system (EC 45221, 88051; 40% to terminate – EC
37 45319(b), 88138(b)). These elections are supposed to be fair and give classified
38 employees the right to decide for themselves whether or not the merit system is right for
39 them. Districts have instead cheated, skewing the process in their favor and spread
40 misinformation about the merit system. Districts have engaged in tactics such as:

- 41
- 42 • management holding daily captive meetings with classified employees without
43 CSEA present,
 - 44
 - 45 • sending derogatory e-mails about the merit system to members without input
46 from CSEA,
 - 47
 - 48 • creating merit system election procedures without any input from CSEA,
49 including making secret ballots somehow identifiable,
 - 50
- 51

1 *Resolution No. 2 (continued)*

- 2
- 3 • physically blocking our own CSEA member leaders and staff from access to
 - 4 employee break areas.
- 5

6 State law currently does not provide for any type of voter protections nor allow CSEA
7 input into the merit system election or its process. School boards and administrators
8 have gone great lengths to ensure that they completely control the process. Our
9 members deserve better. We are not second-class citizens. CSEA has fought for
10 decades to ensure our members can make decisions that are right for them. If a
11 Chapter petitions for an election, then just like our Chapter meetings, our members
12 should have the final say and not feel like they will lose their job because they voted a
13 certain way. We should have equal footing when it comes to communicating with our
14 members, whether it's about the contract, the merit system, or our rights. Districts have
15 no right to physically block us from talking to our own membership, even if it is about the
16 merit system. The merit system takes away power from the district and puts it into the
17 hands of our members. We should allow our members to make that choice to do so.

18

19 Please vote **YES** on this resolution, to give our members the complete freedom to say
20 how their HR office should run.

21

22 **Committee Analysis and Recommendation**

23

24 **I. Description**

25

26 This resolution requests that CSEA sponsor legislation to ensure classified employees
27 have a stake in the merit system election process and that management and the union
28 both have equal opportunities to present merit system information.

29

30 **II. Background**

31

32 Merit systems are mini civil service systems that operate in K-12 and community
33 colleges. They can be established and removed through a majority vote of classified
34 employees. A merit system is governed by a Personnel Commission that is their
35 governing board. Classified employees and districts each select a commissioner and
36 their commissioners select the third commissioner. If they cannot agree on a
37 commissioner, one is selected by the State Superintendent of Public Instruction.
38 Personnel Commissions are intended to be independent bodies that provide fairness to
39 classified employees in hiring, promoting and rendering impartial disciplinary decisions
40 on appeal.

41

42 This resolution focuses on problems experienced in recent merit system elections by
43 several CSEA chapters, including:

44

- 45 1) Management sending out derogatory e-mails about the merit system,
 - 46 47 2) Management holding captive meetings without CSEA present,
 - 48 49 3) Secret ballots being made identifiable, and
- 50
- 51

1 *Resolution No. 2 (continued)*

- 2
- 3 4) CSEA member leaders and staff being blocked from accessing employee break
- 4 areas.

5

6 The sponsoring chapter also points out inequity in current law that requires the

7 tabulation committee to include a governing board member but does not give classified

8 employees a seat on the tabulation committee. The tabulation committee counts the

9 ballots and reports results to the governing board.

10

11 They also argue that there is no definition of a secret ballot, districts are not required to

12 be neutral in the election, polling places are not defined, classified employees cannot be

13 poll workers, there is no ballot security requirement, and identification is required to

14 vote.

15

16 Current law provides some minimal guidelines but does not address the specific issues

17 raised. Existing law simply requires governing boards to ensure qualified persons

18 present the pros and cons of the election and allows classified employees to choose the

19 pro side. Districts are required to provide classified employees with the opportunity to

20 attend at least one or more presentation on the issue. Districts must conduct an election

21 by secret ballot and ensure against fraud. Classified employees are protected against

22 intimidation, coercion and discrimination in the merit system election process.

23

24 **Committee Review and Recommendation**

25

26 The Legislative Committee members made the following observations:

- 27
- 28 • The chapter raised valid concerns particularly about CSEA not having equal
 - 29 representation on the tabulation committee. The tabulation committee is
 - 30 important, and we should have representation. It also gives us a voice in ballot
 - 31 security.
 - 32
 - 33 • We need legislation to guarantee accountability. We should also have oversight
 - 34 of election problems from the Department of Education or another entity. We
 - 35 should not have the fox guarding the hen house.
 - 36
 - 37 • We need fairness in the election process.
 - 38
 - 39 • CSEA should have a say in the election process.
 - 40
 - 41 • District neutrality or offering both sides equality in any communications, meetings
 - 42 or forums that the district sends out is important.
 - 43
 - 44 • Requiring districts to mutually agree with their union on some aspects of the
 - 45 election process could be beneficial, like where forums will be held and how
 - 46 many polling places there will be. We must also require representation on the
 - 47 tabulation committee.
- 48
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1 *Resolution No. 2 (continued)*

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For these reasons, the Legislative Committee unanimously recommends a "Yes" vote on Resolution No. 2.

RESOLUTION NO. 4
Student Centered Funding Formula

1
2
3
4 **WHEREAS**, appropriate funding is critical to student success, and the state budget is
5 healthy and has been running a surplus, and
6

7 **WHEREAS**, the current funding formula creates an inequity and disparate treatment
8 among Community Colleges, and
9

10 **WHEREAS**, the cost of living adjustment (COLA) is rolled into the Student Centered
11 Funding Formula and will be lost if a Community College doesn't meet
12 their performance targets, and
13

14 **WHEREAS**, uncertainties in funding are negatively impacting Community College
15 CSEA chapter negotiations, and
16

17 **WHEREAS**, year to year stability for allocation needs is unpredictable, and
18

19 **WHEREAS**, the Hold Harmless clause of the Student Centered Funding Formula has
20 continuously been extended with no set end date, and
21

22 **WHEREAS**, no additional money has been allocated to the new formula to offset the
23 effects of the hold harmless clause, and
24

25 **WHEREAS**, data integrity is questionable on non-audited, self-reported metrics, and
26

27 **WHEREAS**, the living wage data differs between counties, as each county collects and
28 uses a different methodology to determine this, and
29

30 **WHEREAS**, the implementation of changes to the funding formula are made with little
31 to no notice or time to plan, and
32

33 **WHEREAS**, training has been inadequate on how to produce outcomes for institutional
34 effectiveness, including financial stability.
35

36 **BE IT THEREFORE RESOLVED:** That CSEA seek legislation to require COLA for
37 Community Colleges be funded independently from the Student Centered Funding
38 Formula.
39

40 **AND BE IT FURTHER RESOLVED:** That CSEA seek legislation to modify the Student
41 Centered Funding Formula to increase funding to ensure that all Community Colleges
42 receive their full allocation of funding based on their performance, accommodate
43 funding the Hold Harmless clause without taking funding away from Community
44 Colleges that meet their funding formula targets, provide adequate training, improve
45 data integrity and provide more predictable outcomes.
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1 *Resolution No. 4 (continued)*

2
3 Certified January 31, 2020, postmark
4 Monica Han, Association Secretary

Submitted by Mt. San Antonio College
Chapter 262, Area G, Region 35
Approved at January 22, 2020
Chapter Meeting

7
8 /s/ Robert Stubbe, Chapter President

9
10 /s/ Barbara Carrillo, Chapter Secretary

11 **Authors Statement**

12
13
14 In 2018, then Governor Jerry Brown introduced legislation that fundamentally changed
15 how California Community Colleges are funded. The idea was a simple yet noble one;
16 pay community colleges based on the value they provide to their students. Colleges that
17 do not produce results would see their funding drop, and colleges that achieve high
18 levels of student success would get more funding. It seemed like a great idea until the
19 guidelines were published, which have revealed several problems with the Student
20 Centered Funding Formula.

21
22 There are two major problems with the new formula. The first is insufficient funding.
23 There is not enough money budgeted into the formula to cover all of the earnings for all
24 of the colleges, resulting in many colleges not receiving the money they have worked so
25 hard to earn through this new formula.

26
27 The second most significant issue with the funding formula is how it treats COLA. COLA
28 is meant to allow members to keep up with increasing costs of living like food, shelter,
29 and clothing. However, since COLA is included in the calculation of funding from this
30 new formula, COLA can be lost as Districts use COLA funding — intended for employee
31 salaries — to backfill funding for operational needs when their funding is reduced.
32 Reducing COLA for community college employees when our brothers and sisters in
33 other areas of education are still receiving their COLA treats classified employees in
34 community colleges disparately, and negatively impacts the ability of Districts to recruit
35 quality classified professionals.

36
37 Other problems with the new formula include a lack of auditing on self-reported
38 numbers, causing inaccurate funding disbursement, and a general lack of predictability
39 to the new funding formula, which makes it almost impossible for colleges to negotiate
40 in good faith for anything that costs them money. The legislation sought by chapter
41 262's resolution is aimed at fixing the inequities for classified unit members at California
42 community colleges.

43 **Committee Analysis and Recommendation**

44 **I. Description**

45
46
47
48 This resolution requests that the California School Employees Association (CSEA),
49 AFL-CIO, sponsor legislation to require the cost of living adjustment (COLA) for
50 community colleges be funded independently from the Student Centered Funding
51 Formula (SCFF).

1 *Resolution No. 4 (continued)*

2
3 Additionally, the resolution requests legislation to modify the SCFF to increase funding
4 to:

- 5
6 1) ensure that all community colleges receive the full funding amount for each
7 performance outcome achieved,
- 8
9 2) ensure full utilization of the hold harmless clause,
- 10
11 3) provide adequate training to staff to ensure accurate reporting,
- 12
13 4) improve data integrity, and
- 14
15 5) provide more predictable outcomes.

16
17 **II. Background**

18
19 In 2018-2019, the state created the SCFF as a new apportionment funding formula to
20 fund community colleges districts. The SCFF includes the following three components:

- 21
22 • **Base Allocation** (based on student enrollment). As with the prior apportionment
23 formula, the SCFF provides a specific amount to each college district based on
24 the number of students enrolled, along with a historical allotment. Each full-time
25 equivalent student generates about \$4,000 in 2019-2020. The Base Allocation
26 accounts for 70 percent of total funding.
- 27
28 • **Supplemental Allocation** (based on low-income students). The SCFF provides
29 an additional amount, about \$950 in 2019-2020, for every student who receives a
30 Pell Grant, a need-based fee waiver, or is undocumented and qualifies for
31 resident tuition. The Supplemental Allocation accounts for 20 percent of total
32 funding.
- 33
34 • **Student Success Allocation.** The formula also provides additional funding for
35 college districts' ability to help their students achieve specified outcomes —
36 obtaining various degrees and certificates, completing transfer-level Math and
37 English within the student's first year, and obtaining a regional living wage within
38 a year of completing college. Each of the specified outcomes have different
39 funding amounts. The Student Success Allocation accounts for 10 percent of
40 total funding.

41
42 For each of these three components, the state sets per-student funding rates, and these
43 rates receive a COLA each year.

44
45 The SCFF includes a “**hold harmless**” provision to protect all college districts from any
46 reductions in funding under the “old” formula. This means that no district would get less
47 funding than what they received in 2017-2018 adjusted for COLA. In 2019-2020, this
48 “hold harmless” provision provided \$150 million to protect 32 districts from getting less
49 funding than what they would have received under the old formula.

1 *Resolution No. 4 (continued)*

2
3 Since its inception, many college districts have raised concerns regarding how the
4 SCFF would impact their districts. Concerns range from stagnant or declining
5 enrollment to the fairness of having funding tied to student outcomes that may not
6 always be within a college district's control. Because of these concerns and because of
7 the uncertainties in the funding formula, the state established a special Oversight
8 Committee. Manuel Payan is the CSEA appointee to represent classified interests on
9 this oversight committee. Classified employees are also represented by Bill Rawlings on
10 the Board of Governors of the community college system.

11
12 **Committee Review and Recommendation**

13
14 The Legislative Committee members made the following observations:

- 15
- 16 • This proposal would likely be vetoed by the Governor because he has resisted
17 making drastic changes to the SCFF. The Oversight Committee is tasked with
18 making recommendations on changes to the formula. Concerns about the SCFF
19 should be shared with CSEA's representative on the Oversight Committee
20 instead of seeking a legislative remedy.
 - 21
 - 22 • In an ideal situation, the state COLA would get passed down to employees. But
23 given the current COVID-19 crisis, this may not be the right time to introduce this
24 proposal when districts may have their budgets reduced.
 - 25
 - 26 • This proposal would create inequity among classified employees by guaranteeing
27 a state COLA for just community colleges without doing the same for K-12.
 - 28
 - 29 • Given the many existing concerns with the future impacts of the SCFF, labor and
30 management groups will continue to advocate for changes to improve funding for
31 college districts.
 - 32

33 **For these reasons, the Legislative Committee unanimously recommends a "No"**
34 **vote on Resolution No. 4.**

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