

union action

VOICE OF AFT 2121



Keeping community in our colleges

Recommendations for statewide changes spark controversy

6



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Community College
Federation of Teachers

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It's all about the pie



By Alisa Messer, AFT 2121 President

My favorite chant at recent protests on behalf of the 99 percent? “What kind of pie?” “Occupy!” It's not just cute; there's a real point embedded. For all the criticisms of the Occupy Together movement—no definite demands, no plan for legislative change, and everything else the cynical can throw at it—I would say that the movement is very clear on its central issues: The one percent and its interests have far too much influence over our government, and the ninety-nine percent are suffering because of the increasingly suction-up economy that benefits the one percent rather than the rest of us. Ultimately, Occupy is all about the size of the pie and who has a say over the pie.

Students are the 99 percent

In concert with and buoyed by Occupy, a student movement is taking hold in California, with a week of actions to defend California's public higher education coordinated by ReFund California including marches, occupations, and (sadly) significant police brutality. The widely distributed videos of officers hitting students in the stomach with batons at the Berkeley campus and a University of California at Davis officer pepper spraying students sitting quietly (“as if he's dousing a row of bugs with insecticide,” one report accurately observed) brought the issue of higher education to center stage.

That's where it belongs. California's higher education system was once the pride of the state, with full access and tuition-free colleges and universities for all who could benefit, representing the belief that education is a public good. That has been squeezed almost to the breaking point.

Colleges of the 99 percent

For the community colleges, that breaking point may come in the form

of some proposals from the state-wide Student Success Task Force, which seem to give up on the idea of a funded and accessible community college system for all. We are the colleges of the 99 percent, and we need funding for quality education. Rather than deciding that some students are deserving while some are not such good bets, we should be responding to the needs of more students.

In the current economic climate, the variety of education and training City College of San Francisco offers is needed more than ever.

“At City College, we must enlarge our pie. Students, faculty, and staff should not be providing the bailout for the college, the city, or the state, and we should not be fighting over tidbits.”

Retirees are the 99 percent

Pension “reform” proposals are no different: those who push them say we just can't afford them. While it is true that state and local coffers are in trouble, it's not true that there is no money. Governor Brown's recent proposals on pensions—many of which do not directly impact CalSTRS—claim to address the outrageous breaches in the rare cases such as Bell, California, where salaries and pension benefits put city officials well into the one percent. But corruption like this is the exception, and leveraging these concerns to cut workers' abilities to retire with some security is a tactic that fuels the distrust of public employees and plays an effective game of divide-and-conquer, distracting us from the issues at hand—such as the pie.

Expanding the pie

Anti-tax guru Grover Norquist famously stated his desire to shrink government “to the size where I can drag it into the bathroom and drown it in the bathtub.”

The extent to which the tax-hating, government-cidal maniacs like Norquist have succeeded in shrinking the pie over the last decades means fewer services, a starving education system, students in increasing levels of debt, record unemployment, and housing foreclosures. We can fight over the little bit that Norquist and company have left us of our pie, or

we can work to expand it.

Republican legislators have almost all signed Norquist's no-tax pledge, but polls by California Federation of Teachers and others show Californians want essential services such as education, infrastructure, care for the elderly and the disabled, and public safety—not more tax cuts for the wealthy.

At City College, we must enlarge our pie. Students, faculty, and staff should not be providing the bailout for the college, the city, or the state, and we should not be fight-

ing over tidbits. In the name of our students and the education we provide, we have made difficult choices and significant sacrifices in recent years, both collectively and, at times, disproportionately. But Occupy has demonstrated that the 99 percent can work together and be heard, channeling anger and frustration into activity and awareness.

We hope to channel this energy to enlarge the pie, building new revenue sources. CCSF will put forward a local revenue measure next year in the form of a parcel tax. And in the next weeks, we'll have a full description of the statewide initiative to tax the one percent that we have been planning with the CFT and other community and labor groups. We'll need your help to gather signatures, spread the word, and pass this ambitious November 2012 initiative that will raise the marginal tax rate on California's wealthiest income earners. Any adjusted personal income exceeding one million dollars a year will be subject to additional tax, bringing billions of dollars back to the 99 percent. It will be an essential step toward fair taxation and a beginning to the restoration of education and CCSF. It will enlarge the pie.

Occupy's point? It doesn't have to be this way. And for City College—for the students, staff, and faculty here, and for all the college constituents—it should be clear: enlarge the pie. *What kind of pie? Occupy.* (amesser@aft2121.org)

On the cover:

AFT 2121 President Alisa Messer, flanked by CCSF students, talks to the press at Mission campus about the Student Success Task Force recommendations. See page 6.

Photo: Chris Hanzo

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CCSF weighs in on expanding movement



Melissa Canlas,
Asian American Studies

Main message of Occupy that brings her out: I'm intrigued by the fact this is a leaderless movement. It's a way to participate in a dialogue. It's an impressive extended moment that feels exciting to participate in.

Where she'd like to see Occupy go: I'd like to see the Occupy movement learning to be more inclusive and I'm seeing that happen with more people of color. It's more diverse here than I'd expected to see and I think it could snowball.



John Walsh,
English Department

Main message of Occupy that brings him out: The corporatocracy of America. Essentially corporations are running America, and we're seeing greater and greater disparity. There are other issues like progressive taxation that I agree with, but that's the main message of Occupy I follow.

Where he'd like to see Occupy go: I'd like to see practical things like fair taxation, public finance, and getting rid of lobbying. I think there's momentum to push for these things.



Bobby Arenas,
President of Associated Students Council, Ocean Campus

Main message of Occupy that brings him out: What I like is that it's the first time those of us 25 and under are able to use our Constitutional rights like the right to assemble and free speech.

Where he'd like to see Occupy go: I would to see it go in a direction to avoid violence completely. I would like Wall St. and the government to see us as people they can sit down with and have a conversation. As far as schools and the budget, we have to start pulling money out of prisons and keep it in education.

Bold-faced names support Occupy movement in Bay Area

The three University of California at Berkeley graduates, **Sarah Shourd**, **Shane Bauer** and **Josh Fattal**, who were jailed in Iran and after being charged with espionage when they went into that country while hiking, spoke to the protestors at Occupy Oakland, telling people gathered there they felt they had come home.

The three aren't the only ones to use their fame to support the Occupy movement in the Bay Area. Actor and activist **Danny Glover** also spoke to the crowd at Occupy Oakland, saying that corporate greed had crippled society and "failed this fragile planet we live on." **Naomi Klein**, author of *The Shock Doctrine: The Rise of Disaster Capitalism*, came from Occupy Wall Street's Zuccotti Park to join protestors in San Francisco when they surrounded Wells Fargo's headquarters, blocking the entrances. Former Secretary of Labor **Robert Reich** went to Justin Herman Plaza and grabbed a bullhorn to tell the protesters they are part of a movement that will change society. Rage Against the Machine guitarist **Tom Morello** also went to the Occupy SF camp at Justin Herman Plaza, where he gave away 100 tickets to his show at Great American Music Hall and suggested that President Obama could put bankers in Guantánamo, adding that maybe they should wear orange jumpsuits and black masks and be forced to listen to Rage Against the Machine 24 hours a day. He was just kidding. Maybe. More public intellectuals, dignitaries, and superstars are getting involved.

We (who?) are the 99 percent



Oakland teachers, students, various trade workers. The car couldn't move, so we pulled over, and I got out and continued walking. A brass band was playing various union songs. I recognized a face in the crowd. I knew the hair. The trumpet player stopped playing and embraced Angela Davis. I continued walking towards Jack London Square and all along the way hundreds more were coming from the side streets. I stopped at the Buttercup Grill on Broadway, ordered a hamburger and listened to the policemen talking to the waitresses and thought, yes, they too are the 99 percent. Then I continued up Broadway under the overpass that bordered the Oakland jail and coroners' bureau and thought, yes, they are the 99 percent. Two police officers were stationed in front of the jail. They wished me a good evening. Further up Broadway another crowd was surging, dancing, and playing drums. The weather was so agreeable. This group was younger. They are the part of the 99 percent which is looking for jobs, maybe their first jobs, the promise of a career that college had prepared them for. A man passed me a handout, a small piece of paper with a picture of two hands clasped. Underneath it said "NOT THEY. WE are the 99 percent."

—**Merle Burnick, ESL Department, reporting back from the November 2nd, Day of Action/General Strike Oakland**

I am convinced we are the 99 percent, and that the 99 percent have found their voice. The Tea Party is no more than a drop in the teacup. As I walked back from the Port of Oakland on the overpass, a lone VW was trying to go over it. When the driver and his girl friend saw me, they stopped and offered me a ride. I gladly accepted, but we were confronted with hundreds of people crossing the overpass—the SEIU,

Occupy SF rapid response team

SF Labor is playing a crucial role in defending the Occupy movement, and AFT 2121 members are an important part of that support. Our fairly small local has had a number of members join the rapid response system, agreeing to mobilize if necessary to come out to defend Occupy SF if they are under threat of a police raid. Members of AFT 2121 came out to Justin Herman Plaza when Mayor Ed Lee indicated he planned to clear the camp out in late October, and again in mid-November. Join our rapid response team by emailing aft@aft2121.org

Jobs won't be lost in budget crisis

By Emily Wilson, Editor

Union representatives have started making site visits to the campuses to let members know what they are doing in the face of drastic budget cuts. At a recent visit to the Chinatown/North Beach campus, members learned that although both the state and district budgets may be bad—along with the district's \$5 million budget shortfall, \$14 million has been cut from the state budget—jobs (unlike at many other community colleges in the state) will be saved. Instead, the cuts will be to extra pay assignments, not basic loads.

"It's painful to people, but not as painful as getting laid off," AFT 2121 Executive Director Chris Hanzo said.

President Alisa Messer said the recent faculty survey about priorities showed protecting jobs was the top choice for the majority, with significant concerns about pay also expressed. Health care was ranked an important second by most faculty.

In negotiations, Hanzo said, the team is working hard to get back the frozen step, since that is pain not equally shared.

"To have some faculty making a step less than they should be is not right," he said.

To push the expense to next year's budget, the District has proposed delaying the start of summer school, in order, as English as a Second Language teacher Agnes Chan summed up, "to postpone and delay the catastrophe."

Messer pointed out that it was difficult to talk about such an impossible situation in a rational way.

"The state has basically said, 'We're not going to fund you, even though we know you have students you need to teach,'" she said.

Messer called the November 2012 election a hopeful spot on the horizon. Members of AFT 2121 are working for a parcel tax to raise revenue for City College. Along with our state union, California Federation of Teachers, and other groups, we also support an initiative to tax the richest in the state. Hanzo said that with the Occupy movement focusing so heavily on this idea, people are much more open to higher taxes for the extremely wealthy, and polling on the tax initiative has been encouraging.

More encouraging news is that the Student Success Task Force is changing some of its recommendations: not taking away funding from Citizenship, English as a Second Language, and other noncredit courses that are not categorized as Career Development or College Preparation; modifying the proposal for students to pay full cost for courses not in their education plans; and eliminating the proposal to consolidate categorical program funding.

Messer said she and other union representatives are making more visits to campuses, and plan to meet with smaller groups to hear about faculty members' concerns and ideas.

If you would like to schedule a visit, please call 415-585-2121. (ewilson@ccsf.edu)



Union seeks to move categorically funded faculty out of limbo

By Chris Hanzo,
AFT 2121 Executive Director

Grant-funded faculty members have limited employment rights extending only to the grant period. If that grant money dries up, districts have no obligation to continue employing these so-called categorical employees. In the parlance of the California Education Code, such employment, if of "indeterminate duration," cannot count towards the attainment of "regular" status, i.e. tenure. This means that even if hired on a full-time basis for decades, grant-funded faculty are still considered "at will," temporary employees with no rights that accrue to permanent faculty, such as post retirement health benefits.

AFT 2121 is beginning negotiations for a new contract since the current contract expires on June 30, 2012. We have a number of concerns regarding categorical grant-funded employment, especially as the District seeks grants to replace lost state funding.

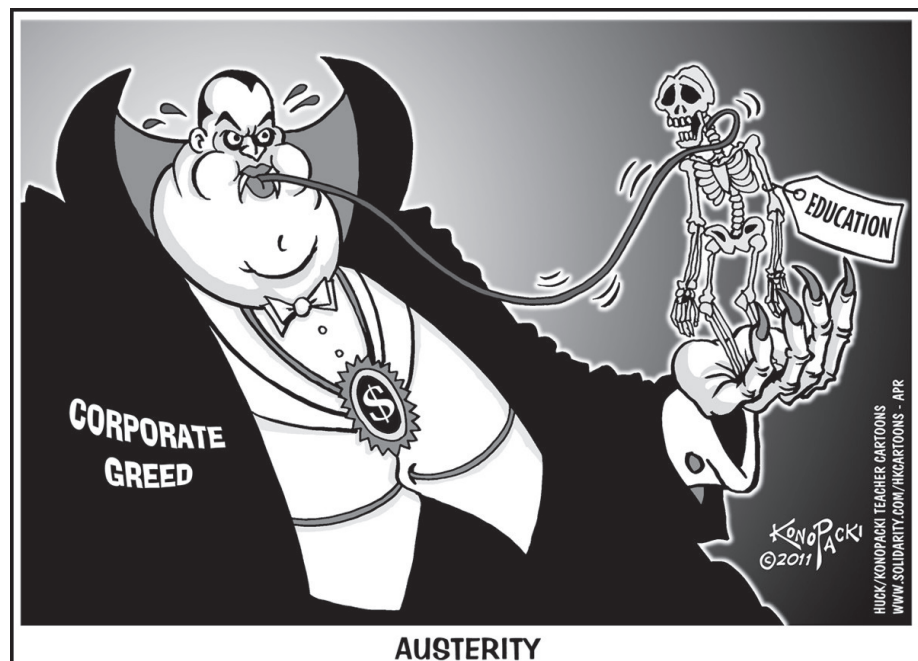
Full-time categorical faculty members who work year after year deserve consideration for permanent tenured status. Full-time faculty in categorical programs that are mandated by the state, such as Extended Opportunity Programs and Services (EOPS) and Disabled Students Programs & Services (DSPS), have for

years been hired on a tenure-track basis because the District recognized they would continue to need them. Likewise, in programs that are ongoing, such as Child Development, full-time categorical employees working year after year should be allowed to acquire permanent status and related benefits.

The contract already provides that tenured faculty who work in grant-funded programs maintain the right to return to District-funded employment. We want to be sure that similar protection extends to part-time faculty who take on grant-funded assignments. They should be able to move back to District-funded modal load assignments when the grant-funded assignment ends.

Sick leave for grant-funded assignments is segregated from sick leave accumulated under General Fund employment. Faculty who take grant-funded assignments therefore cannot use their regular sick leave. Eliminating this barrier would be of benefit to employees and simplify sick leave accounting by the District.

AFT 2121 and the District are gathering information about grant-funded employment to get a clear picture of how many employees are involved and about the restrictions/problems they face. We can then negotiate to improve these conditions in the new AFT/District contract. (chanzo@aft2121.org)



ENDING TO BUDGET CUTS

Local responses to a state-based issue

Modal load: The key to preserving jobs

By Gus Goldstein,
AFT 2121 Vice President

Part-timers, you are entitled to your modal load. This is the agreement between the union and the district. You can thank the chancellor in large part for this because our Collective Bargaining Agreement (CBA) does not specify such an agreement—only that cuts will be made from the bottom of the seniority list while guaranteeing that those who remain will get their modal loads. The CBA does ensure that in times of cutbacks, part-timers' sections will not be cut disproportionately to overload sections (though not conversely). Then “layoffs” begin at the bottom: those with no re-hire right are laid off first, including, in order, retirees from CCSF who have returned to teach, emergency hires, and then newly hired faculty who have not been evaluated. They would be followed by any part-timers who have not established a modal load. The chancellor has said he wants to stop there, at modal load: any part-timer who does have a modal load will be rehired.

What is a modal load?

It is easier to follow along in any conversation about modal loads if you look at page 58 of the CBA.

Take a deep breath and look at that bewildering display of numbers dispassionately. They are examples of what is and is not a modal load.

Conceptually, the mode is the most frequently occurring item on a list. So your modal load is the load that has occurred most frequently among the last four semesters assigned out of the last six. For example, if your load has been 60 percent, 60 percent, 40 percent, and 20 percent, your modal load is percent.

If, however, it was 60 percent, 60 percent, 40 percent and 40 percent, there is no mode because no load predominates. Then one would have to look back at the three most recent semesters assigned out of the last six and consider what load is most frequent. Using the last example, if the 60 percent, 40 percent, and 40 percent are the loads of the last three semesters, then the modal load is 40 percent.

If you are one of those whose load seems to vary every semester, you have to look at the most recent three semesters assigned and pick the median load; that is, the one for which there is one larger and one smaller. For example, if the last four semesters, in order—and counting the current semester—were 67 per-

cent, 59 percent, 55 percent, and 50 percent, the “modal” (really median, since there is no mode) load that you should be assigned is 55 percent. (Why? 67 percent, the longest-ago load, doesn't count because there was no mode. Only the last three semesters count; of those, 55 percent is the “middle,” or median, value.)

What if you aren't assigned your modal load?

Be sure to let us at the Union office know if you learn that you are not scheduled to teach next semester or receive less than your modal load of classes. There is a form on the union website under the link “Union Message: Deteriorating CCSF budget...” that we ask you to fill out detailing:

1. Name, department, part-time or full-time, and phone number
2. Semester/year of hire; number of semesters of service if part-time
3. Current assignment and the proposed assignment for spring 2012. (If none, then indicate that you are being laid-off.)
4. Your precise load, if you know it (and if you can indicate that information for the last three or four semesters, that's even better).

Technically, from the standpoint of the District, part-timers are not

“laid off” at the end of a semester; they are just either subsequently rehired or not rehired. If you are not rehired next semester—and we at AFT 2121 are doing our utmost to see that you will be—be sure to follow the provisions of Article 13-1.I.1 (“recall right”). As long as you submit your preference form as your department requires, you will be considered for re-employment next fall at your modal load in order of seniority. This re-employment right does not negate your right to unemployment in the meantime because there is no guarantee that you will be rehired. It does assure that you will be considered for hire over any new hires and anyone with lesser seniority (who should have been laid off before you, anyway). But you must request from your department chair a preference form during the first week of the semester requesting an assignment for the following semester. Submit the preference form whenever your department requires the preference form to be submitted.

If you have any question about whether you have, indeed, received your modal load for next semester, you should call us immediately at 585-2121. (ggoldstein@aft2121.org)

Enough cuts—we need more revenue

California's Legislative Analyst's Office is forecasting that State revenues will lag behind the optimistic forecasts used in balancing the State's 2011-2012 budget. This will likely lead to the pulling of the “triggers” in the State budget next spring, which will mean automatic deep new spending cuts. City College of San Francisco considers these cuts so likely that it built them into its budget for this year. The result is more austerity measures, freezes on staff hiring, vacant positions, another year without a raise or COLA, and cuts to the spring and summer instructional programs. Under this scenario, CCSF will lose about \$14 million in State funding with the defunding of 3,000 full-time equivalent students (FTES).

As Jean Ross, executive director of the California Budget Project, points out, these State budget cuts will fuel more state and local government job losses, which in turn only exacerbate already high unemployment and economic stagnation. According to Ross, the State must “take a more balanced approach to addressing the state's ongoing budget gaps,” which includes acquiring new revenues.

With a growing public awareness about income disparity and the under-taxing of wealth in the United States come new efforts aimed at bringing new revenues at local and state levels, such as a local San Francisco parcel tax for CCSF and a statewide initiative to tax the very wealthy.

Higher education coalition ReFund CA has a set of statewide solutions. Higher ed leaders—CSU and UC trustees, in particular, many of whom are part of the 1 percent—are being challenged to sign this pledge:

As an education leader, I pledge to do everything in my power to make Wall Street corporations and the wealthy pay their fair share for essential services and affordable, equitable public education from pre-K through post doctoral. I pledge to support:

- Increasing income taxes on California's wealthiest.
- Closing Proposition 13's corporate property tax loophole.
- Implementing a federal sales tax on Wall Street financial transactions.
- Reducing underwater mortgage debt to Wall Street to improve the economy.
- Reversing tuition increases, layoffs, and cuts to public education and essential services—ensuring good jobs that provide healthcare and a dignified retirement.

Learn more at: MakeBanksPayCalifornia.org.

Student success requires funding



By Hugo Aparicio

Oakland hosted a town hall meeting recently to review the Chancellor's Office Student Success Task Force Draft Report. The task force is in the last stage of preparing the final report that will be submitted to the California legislature early next year.

Student Success Task Force recommendations are not new. University of South Florida in Tampa (2005), University of California in Riverside (2006), Northern Illinois University (2008), Western Association of Schools and Colleges (2010), to mention a few, have embraced the idea of changing procedures in order to help students succeed in their first years of college. But in California with its 72 community college districts and 112 colleges serving 2.6 million students per year, suggestions are being analyzed with skepticism. The task force in California is contemplating only 22 recommendations, unlike the University of South Florida where 250 short and long-term recommendations were considered.

California Community Colleges Chancellor Jack Scott says the essence of the recommendations is to increase services for each entering student, providing them with an education plan prepared at the beginning of the first year and reviewed for progress annually. Also, he claims the recommendations aim to better coordinate the passage from high school to college, to address basic skill deficiencies within the first year, and to offer professional development, emphasizing basic skills, to faculty and administrators.

Critics of the recommendations call them a right-wing attack that would fundamentally change the mission of the community college, focusing resources on full-time students seeking degrees, and making it more difficult for low-income students. The task force proposes, for example, that students declare a major early on and their access to financial aid and courses would be determined by their progress. Some City College of San Francisco officials such as Board of Trustees President John Rizzo say proposals like these would cut hundreds of thousands of students from the rolls of the state's community colleges.

Nearly 200 students, faculty, and staff of different colleges (including a large contingent from CCSF) came to the meeting and had the opportunity to voice their thoughts on the recommendations during the public comment period. Because of lots of vocal opposition, some recommendations have already changed, as noted at the meeting in Oakland.

For example, the proposal to consolidate categorical programs is being removed; one to have students pay full cost for courses not in their education plan is being changed; and no funding will be taken away from Citizenship, English as a Second Language classes, or other noncredit courses categorized as not being in Career Development and College Preparation courses.

My own opinion is all the great benefits Scott promises will not work without an increase in funds from the state, and unless Scott has a magic wand hidden under his sleeve, all of the proposed changes require large amounts of money to implement. Recommendation numero uno should be for the state to restore the funds that have been taken away from education. Only then we can start dreaming of really meeting student needs and improving education.

Additional recommendations I would like to see include assurances that any of the funders of the Student Success Task Force (The William and Flora Hewlett Foundation, The James Irvine Foundation, The Walter S. Johnson Foundation, The Lumina Foundation, and The David and Lucile Packard Foundation) will never benefit, directly or indirectly, from the implementation of any of the recommendations. They have contributed about \$500,000 for the study.

For more information about the recommendations or to submit comments, go to this link: californiacommunitycolleges.cccco.edu/SSTF.asp (haparici@ccsf.edu)

Student Success Task Force—What Happens Now?

December 1, 2011 (Sacramento)—Special Board of Governors meeting to review draft recommendations

December 7, 2011 (Sacramento)—Review draft of report for transmittal to the Board of Governors

January 9-10, 2012 (Sacramento)—Board of Governors to take action on draft recommendations

In February, 2012 (Sacramento)—Report to legislators

The Task Force is clearly still taking input, regardless of their having referred to their November 9 meeting in Sacramento as the occasion for creating the final draft, so keep up the pressure. The Task Force has already retracted some of their positions and modified others. In January, those opposed to the recommendations will have to refocus from the Task Force to the Board of Governors. From there the recommendations could be transformed into proposed legislation (bills), which, again, will be subject to vocal opposition by constituents, including spokespeople in Sacramento for California Federation of Teachers, City College of San Francisco, and other concerned groups. The vision and mission of community colleges is in our hands. To participate in an active discussion on the Task Force's recommendations, check out: studentsuccess.ideascale.com. Let your voice be heard!

Did you know?

Not all post-graduate units are created equal

About the only way to get an increase in salary these days is to move across the columns of our salary matrices. How to do that is described in Article 20.D of our Collective Bargaining Agreement (CBA). Unfortunately, many faculty members read only as far as the first section, which addresses "graduate" units. They understand that the vice-chancellor's pre-approval for use in column movement is not required for "graduate" units. Reasonably enough, they assume that if a course is offered to graduates of Bachelor's

and Masters' programs, they must be "graduate" courses and hence do not require pre-approval before being included among units eligible for a column change. This is not the case!

Graduate courses are special, high-level courses that are identified as such in each institution's course numbering system. Most institutions of higher learning offer other "post-graduate" courses that are not considered to be "graduate" courses and do need pre-approval like any undergraduate course. You must look carefully at the institution's key to course codes so that you know for sure when you don't need to seek pre-approval and when you do. You will save yourself a lot of frustration—anguish even—if you take the trouble to be clear about the status of each course you are planning to use for column movement BEFORE you take it.

Unemployment Reminder

Part-Timers, the last week of the semester is Monday and Tuesday, December 19 and 20. When you apply for unemployment, don't forget that your pay covers those two days if you are paid by load or if your hourly schedule includes those days. Go to our website, and click the link for part-timers for more details.

Undocumented students take steps forward, back

By Emily Wilson, Editor

Undocumented students recently celebrated a victory with the passage of the California DREAM Act, AB 131, which Governor Jerry Brown signed in October. When the law goes into effect in January 2013, undocumented students will be eligible for state-sponsored financial aid.

“It will especially affect students at community colleges because of the ability to get a Board of Governors fee waiver,” said Carlos Amador, a project coordinator at the University of California, Los Angeles (UCLA) Labor Center.

“The feeling of having that label of being an illegal, that label dehumanizes you and criminalizes you.” —Steve Li

While this offers a relief for undocumented students, activists fighting for immigration reform aren't seeing much changing with Secure Communities (S-Comm), a controversial program that allows federal authorities to screen fingerprints of those arrested by local police to find undocumented immigrants. In June, John Morton, the director of the Immigration and Customs Enforcement (ICE), issued a memo with guidelines about who ICE officers should prioritize. The idea, Morton states in the memo, is that the agency should focus its resources on those with a serious criminal record, and to give “particular care and consideration” to people brought here as children, as well as veterans, and the elderly. In spite of that, a recent report by the American Immigration Lawyers Association and the American Immigration Council found that the new guidelines have been applied inconsistently and created confusion, and advocates and lawyers say they are still seeing people

Steve Li



with roots in the community being deported.

That's something Steve Li, a biology student at City College of San Francisco, knows all about. A year ago, Li, who immigrated from Peru with his parents when he was 11, got a knock on the door and was taken to a deportation center in Arizona, where he spent several weeks. He faced deportation to Peru, where he has no friends or family. Senator Dianne Feinstein stopped the deportation, but Li's status is in limbo until 2013. Li says before being jolted by the morning visit from law enforcement, he had no idea about

his status, but since then he has been working with Asian Students Promoting Immigrant Rights through Education (Aspire).

“The feeling of having that label of being an illegal, that label dehumanizes you and criminalizes you,” he said. “You feel like you have done something wrong, and you fear getting deported and going to a country you don't really know.”

Lisa Chen, a community advocate with Asian Law Caucus in San Francisco, works with Li at Aspire. She has seen firsthand that the law is not applied consistently, mentioning a San Francisco State graduate, Jose Librojo, who is facing deportation in spite of being someone who should be low priority under the Morton guidelines—no criminal record, been here since he was a child, working as a dental assistant.

“This is not going away—it's still a very prevalent issue for the community,” Chen said. “Our leadership hasn't been able to do anything to address our flawed immigration policy.”

Like Li, Matias Ramos, a UCLA graduate and the board chair of United We Dream, recently faced being sent to a country he'd left when he was barely a teenager—Argentina. Also like Li, Ramos' status is in limbo until 2013. He plans to marry next year and apply for a change in status, so at this point he doesn't really expect he'll be deported, but it's something always hanging over him.

“They still have the right to come to my house at four in the



Juan Segundo

morning and take me to the airport,” he said.

The passing of AB 131 was a positive step, Chen said—but for many students this threat of still being sent out of the country, in spite of the guidelines that seem to make students a low priority, is confusing and frustrating.

“I think when it passed, it was a surprise, and a burden lifted from their shoulders,” Chen said about AB 131. “So on the one hand, they're excited about this victory, but S-Comm is a whole other monster on its own.”

Juan Segundo, a CCSF engineering student and a member of Voices of Immigrants Demonstrating Achievement (VIDA), says since San Francisco is considered a sanctuary city, undocumented students here may not be as worried as in other places, but he adds it's still something most of his undocumented friends talk about and worry about. Even if people think they're safer here than other cities, they tell stories about what they've heard is happening with people they know in cities such as Santa Cruz or in San Diego, Segundo says.

Li says AB 131 passing energized him to keep fighting for immigration reform.

“I was at a conference and I heard about it early in the morning,” he said. “I was so happy that all of our efforts worked, and our voices were heard. Before AB131 passed I had no idea how I would be able to afford to choose the school I want to go to. I am going to school and working two jobs. A lot of Dream Act students have to take a year or two off to work.”

Now Li says he will fight to repeal Secure Communities in California. The law creates a climate of fear among immigrants, he says, and often they don't report it to the police when they're the victims of a crime.

“Students are afraid to call the cops, and they're supposed to be protecting us,” he said. (ewilson@ccsf.edu)



New report finds deportation guidelines inconsistent

In the wake of passage of the California DREAM Act, undocumented students and their allies have new reason to be hopeful. And a memo from Immigration and Customs Enforcement (ICE) that outlines factors that would mean low priority for enforcement action seems to offer hope as well, as those factors include schooling and ties to the community.

Unfortunately, a new report from the American Immigration Lawyers Association and the American Immigration Council called “Holding DHS Accountable on Prosecutorial Discretion” found “that while a few ICE offices have begun to implement the guidance, most have not and many are actively resistant. Some officials said their jobs are to arrest and deport.”

Supporting faculty to get benefits and pay

Salary placement in non-MA discipline

A part-time instructor hired to teach in a non-MA discipline was initially placed on the F+30 pay column based on the instructor's MA degree. When completing the HR form used for determining initial salary placement, the instructor saw no reason to disclose the instructor's AA degree. However, disclosing the AA degree and providing additional documentation would have resulted in a salary placement on the G pay column. After the union grieved and the instructor provided the additional documentation, the district agreed to place the instructor on the G column and to pay the instructor back pay. In subsequent negotiations, the union and district also revised the HR form to better explain what instructors hired in a non-MA discipline should disclose.

Flex day pay

Two part-time instructors were assigned this semester to hourly non-instructional work on Mondays, Wednesdays, and Fridays starting Tuesday, August 16, 2011. The part-timers were not paid for flex days August 12 and 15 even though they were assigned to work the entire semester on the same days of the week that the flex days occurred. The union grieved and the district agreed to pay them for flex days.

Military service

After returning from approved military leave for active duty lasting more than four semesters, a part-time instructor was treated as if she had a break in service at CCSF. Her seniority semester count was reduced from 34 to two and her pay was reduced accordingly. After the union filed a grievance, the district agreed to restore the part-timer's seniority semester count to 34 and to adjust her pay accordingly for the first semester of

her return. After further discussion and legal research, the district agreed to advance the part-timer's seniority and salary as if she had continued to teach during the time she was on approved military leave. It was determined that this was required by the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) and corresponding federal regulations. When the instructor's assignment for Fall 2011 was reduced to less than 50 percent because of clerical error, the district also agreed to deem her eligible for benefits for Fall 2011.

"Post-baccalaureate" courses

As has happened before, an instructor was denied credit for a "post-baccalaureate" course for salary column advancement because it was not pre-approved. Although pre-approval was required, the instructor did not request it because the course was not an undergraduate course and the instructor was told that pre-approval was not required. After determining that the instructor acted in good faith, the district agreed to credit the instructor for the course. All instructors seeking pay column advancement should keep in mind that while true graduate courses (i.e., those normally taken by persons in pursuit of an MA or PhD) do not require pre-approval, undergraduate courses and "post baccalaureate" or "professional" courses designed for bachelor-holding professionals do require pre-approval. (See also "Did You Know?" page 6).

Benefits for faculty previously classified

A classified employee who was also a Grow Your Own intern has been eligible for and receiving benefits as a classified employee. However, the employee was to be denied benefits as a new part-time instructor in Spring 2012 although she was assigned a qualifying load of

at least .50. After the union grieved, the district agreed as an "exception" under the contract in light of the employee's employment history with the district to deem the instructor eligible for benefits in Spring 2012. We hope that this exception will be applied in the future to instructors in a similar situation.

Full-time instructor wins appeal of sabbatical denial

A full-time instructor who last took a sabbatical seven years ago was found ineligible by the District when he applied this semester for another one-year sabbatical. With AFT support, the instructor challenged the decision utilizing an appeal process in the contract. At issue was whether one semester should have counted towards the 12 semester eligibility threshold. Because the instructor had delayed his previous sabbatical by one semester to accommodate the program needs of his department, the semester in question fell outside of the eligibility net. Chancellor Griffin granted the appeal and the sabbatical has been awarded.

AFT Calendar

Friday, December 2
Day of Action in S.F.
Rally and march starting at the Federal Building Plaza, 2:00pm

Tuesday, December 13
Delegate Assembly
Ocean, Arts, Room 308
3:00-5:00 pm

Friday, December 16
End-of-Semester party
Pierre Coste Dining Room
Ocean Campus
3:00-6:30 pm

January 2012
Signature collecting for labor and community-led statewide progressive taxation initiative to restore funding to education and vital services

Friday-Sunday, April 13-15, 2012
CFT Convention
Fairmont Hotel, San Jose



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