

Side Letter Agreement for Summer and Fall 2021

May 12, 2021

Insofar as the Covid-19 Crisis and related public health risks are continuing into summer and fall 2021, the Contra Costa Community College District (4CD) and United Faculty (UF) of 4CD agree to extend all existing side letters, with modifications, as follows:

1. Safety

The 4CD Return-to-Worksite Plan has been updated and is posted on the 4CD website. The Plan has information related to handling Covid-19 cases in the workplace, including reporting, communicating, contact-tracing, etc. Specific safety policies relating to social distancing, masking, cleaning, and facilities use will continue to reflect county guidelines and will be modified, in consultation between 4CD and UF, as appropriate.

2. Vaccinations and Covid-19 Testing

4CD and UF strongly recommend vaccinations for all students and employees, with appropriate exceptions, and will work collaboratively to promote vaccinations, but we have not agreed to require vaccinations or widespread Covid-19 testing in the summer or fall of 2021, except where certain programs under special circumstances may require it (such as nursing or athletics).

3. Distance Education Training

Stipends for faculty who facilitate and/or take the District-offered training in Becoming an Effective Online Instructor (BEOI) are extended through summer of 2021 as stipulated in our previous Side Letter. At least two sections of BEOI will be offered.

All previous Side Letter provisions covering Article 27 remain in effect for summer and fall of 2021. This means all provisions of the article except 27.5 (privacy rights); 27.6 (LMS); and 27.7 (technical support) remain suspended until spring of 2022. UF and 4CD will revisit this suspension and discuss spring of 2022 in fall of 2021, but we expect that we will return to requiring specific training as a prerequisite for faculty teaching online in spring of 2022.

4. Class Sizes and Class Cancellation Policies

In-Person Classes in summer and fall of 2021 will have class maximums set based on social distancing and other applicable requirements up to the regular, negotiated class maximums. Class maximums may be adjusted based on changes to social-distancing requirements up to the first day of instruction. If student demand and facilities allow for additional in-person sections, including late-starting sections, to be added to the fall 2021

schedule, UF and 4CD will discuss data-informed strategies to avoid late cancellations of existing online sections.

5. Supplemental Instructors and Adapted Technology for Online Courses/Services

Departments seeking additional “high-touch” support for students taking online classes may continue to request “supplemental instructors,” funded by CARES/HEREF, by working with area deans on specific plans to compensate part-time faculty, at an hourly rate up to an agreed-upon maximum, for working one-on-one or in small groups with students online. Funding is also available to support adapted technology for online courses/services.

6. Flex Credit

The previous Side Letter is extended to cover spring 2021. Part-time faculty will be considered to have met their spring 2021 flex obligations and will not need to submit paperwork. Full-timers will need to complete flex reports as usual and may list time spent converting to remote instruction for variable flex credit.

7. Evaluations

The previous Side Letters on evaluations (including those covering counselors and librarians) are extended to include fall 2021, with amendments as follows:

For Fall 2021 ONLY

- A. All evaluation of TENURED faculty (unless there is an improvement plan already in place) may be postponed until at least spring 2021. Prior to the start of spring 2022, UF and 4CD will agree to a timeline for returning to a regular evaluation schedule for tenured faculty. For fall 2021, tenured faculty may choose to be evaluated using normal procedures or to postpone being evaluated.
- B. All evaluation of part-time faculty, except for those newly hired (1st-semester) may be postponed until at least spring 2022. Prior to the start of spring 2022, UF and 4CD will agree to a timeline for returning to a regular evaluation schedule for part-time faculty.

For fall 2021, part-time faculty may choose to be evaluated using normal procedures or to postpone being evaluated. Postponing an evaluation to fall will not affect a faculty member's eligibility for staffing preference.

For the fall 2021 semester, in a case where there is a reasonable concern related to job performance that creates a need for an evaluation not to be postponed (if there are student complaints, for example), the Department Chair may, with concurrence of the Area Dean, require that an evaluation be completed on schedule.

- C. The evaluation of all newly hired (1st-semester) faculty shall be conducted using existing procedures.
- D. The evaluation of probationary faculty shall be completed using regular evaluation procedures.
- E. Any faculty member with an uncompleted improvement plan that calls for a fall 2021 evaluation (or with a completed plan where the evaluation that is supposed to follow improvement plans has not yet been conducted) shall be evaluated in fall 2021 using existing procedures.
- F. Counselors and librarians be treated the same as all others, as described above, with modifications made as necessary to allow for observations and student surveys (following procedures outlined in fall 2020 side letters.).
- G. Recognizing that the response-rate for online student evaluations is lower than for in-person classes, evaluatees may elect (in fall 2021 only) to collect student evaluations from one additional section over and above the usual contractual number. This decision must be made prior to student evaluations being collected so that all student evaluations are collected during the same period of time. In addition, for fall 2021 only, as a pilot-program to be evaluated and revisited going forward, all student evaluation surveys using EvaluationKit will be left open for a period of two weeks.
- H. The deadline for faculty who have the option of postponing evaluations under this side-letter agreement to request to be evaluated in fall of 2021 will be 9/7/21 or, for late-start classes, the end of the late add/drop period.
- I. When student evaluations are administered in-person, the in-person surveys shall be used following the recently negotiated procedures for administering electronic surveys in the classroom (using EvaluationKit). When student evaluations are administered online, the regular online procedures will be used. Student surveys for fall 2021 only will remain open for two weeks. When an evaluator observes a synchronous online class meeting in a section where student evaluations will be administered, the evaluator should read a brief announcement to the students alerting them to the student evaluation process.
- J. When classroom observations are conducted in-person, the in-person forms and procedures should be used. When classroom observations are conducted online in an asynchronous class and/or in a synchronous class, the online observation forms and procedures should be used. When a class is partially online, the evaluatee and evaluator should discuss which parts of the class the evaluator will observe. The evaluator should observe for no less than one cumulative hour. The evaluator may choose (in consultation with the evaluatee) to observe an in-person class meeting, synchronous class meeting,

and/or asynchronous instruction (and may use either the online observation form, in-person observation form, or both).

9. Training

The previous Side Letter provision covering training remains in force for fall 2021. Faculty who have not already completed the State-mandated sexual harassment training or up to one hour of District-provided Covid-19 trainings will complete those trainings prior to the beginning of the fall 2021 semester.

9. Underload

The previous Side Letter provision for underload remains in effect for fall 2021.

10. UF and 4CD agree that all faculty will return to regular flex reporting in fall 2021.