



FAQ on Fall 2021 (edited 5/10/21)

As the Fullerton Chapter Executive Board of *your* Union, the California Faculty Association, we are committed to protecting the health and welfare of our membership. [Article 37 \(Safety\)](#) of the Collective Bargaining Agreement (CBA) reads: *The CSU shall endeavor to ensure that faculty unit employees will not be required (a) to work in unsafe conditions or (b) to perform tasks that endanger their health or safety.* To ensure both the letter and spirit of Article 37 of the CBA as we transition to in-person instruction, CFA-Fullerton has compiled a list of frequently asked questions regarding our rights as faculty, librarians, coaches, and counselors during the return to the Fullerton campus. Below, we include the responses provided by the CSUF administration (complete with hyperlinks to all relevant documents) *as well as* our positions and recommendations that adhere to Article 37 of the CBA.

What can we do if a student won't wear a face mask in the classroom or other mandated area?

- According to [COVID-19 President's Directive No. 21](#), there are several steps an instructor should take in an effort to gain compliance with the campus mask mandate. These include “reminding” the student of the mask mandate, “informing” the student of mask distribution centers on campus, “requesting” the student leave the classroom if failure to comply persists, and finally issuing a “referral” to the Office of Student Conduct after calling for a break in instruction. Should a student become physically combative, instructors should call the University Police Department at (657) 278-2515. A map of CSUF PPE distribution is available [here](#).
- CFA-Fullerton Chapter strongly believes that enforcement of campus safety protocols *should not* be handled by campus police, for this only serves to stigmatize and criminalize students for behaviors, which – however disruptive – are not violations of criminal law. Instead, in compliance with Article 37, when instructors believe in good faith that they are being required to work under unhealthy or unsafe conditions, they should have the discretion to end class if and when students fail to comply with President's Directive 21 and move the class to an online format until compliance with the mandate can be guaranteed.

What rights do faculty have if they feel uncomfortable teaching in a classroom with students who are exempt from the mandatory mask mandate?

- [President's Directive No. 21](#) reads: ‘*Health Services and Disability Support Services will approve student exemptions for face coverings or face covering alternatives. Instructors will be notified by either Health Services or Disability Support Services*

regarding a student's exemption to wear a face covering." The directive is silent, however, on how instructors should handle instances wherein they feel at risk in an environment with unmasked students.

- CFA-Fullerton Chapter is committed to ensuring *all* students have access to a safe and healthy learning environment. This commitment must also extend to instructors. In the event that instructors feel their health is at risk, under Article 37.7 and the MOU CFA negotiated with CSUF in December 2020, faculty have the right to "request a temporary reassignment" and pivot their course to online instruction. With the help of Information Technology, this will provide access to all students while ensuring the health and safety of all members of our community.

What will be the rules for social distancing in classrooms? Will there be caps based on room capacity?

- The guidelines [CSUF General COVID-19 Safety for Employees](#) issued in June 2020 calls for physical distancing of at least 6 feet while on campus. Presently, the Office of the Provost has indicated that there are no expectations for social distancing in classrooms and lecture halls. Department Chairs have been instructed to fill rooms to normal enrollment capacities (Faculty Forum, 4/13/21).
- CFA-Fullerton endorses the recommendations provided by the *Centers for Disease Control and Prevention* (CDC) in their "[Considerations for Institutions of Higher Education](#)" (last updated April 19, 2021). These recommendations call for colleges and universities to modify layouts of classrooms, lecture halls, and other learning environments. Recommendations include "Space seatings/desks at least 6 feet apart when feasible." Lecture halls should have rows and/or seats taped off to ensure a distance of 6 feet between students. For areas where such physical distancing is not feasible, "physical barriers" such as partitions should be installed. Instructors returning to in-person instructor who find the classroom not in compliance with CDC recommendations should have the right to pivot to on-line instruction until a safe in-person environment can be guaranteed.

Will faculty be expected to offer "hyflex" instruction?

- To date, instructors have received mixed and conflicting messages regarding hyflex instruction in the Fall. This may be due to confusion over the precise definition of hyflex and what it entails. According to [Inside Higher Education](#) (5/13/2020), with hyflex instruction, "Instructors essentially must build a fully online course and a face-to-face version, with the same learning outcomes in both."
- Given the increased workload that hyflex entails, CFA-Fullerton holds that instructors should not be required to simultaneously teach students in the classroom and on Zoom. Our position is in accordance with Section 20.3 a. of the CBA which reads, "Members of the bargaining unit shall not be... assigned an unreasonable workload."

Will faculty have to hold office hours in person? What safety measures will be in place for individual offices?

- The position of the Office of the Provost is that they are “encouraging faculty to come back to campus to hold office hours if they are teaching in person.” (Faculty Forum, 4/13/21). However, it is unlikely that plexiglass will be installed in faculty offices, as ‘research does not indicate it is always efficacious.’ Faculty will be responsible to clean and sanitize their desks between student visits and to ensure a safe and healthy office space.
- CFA-Fullerton believes that that instructors should hold in-person office hours *only* if they feel that is safe and healthy to do so. Faculty should not feel pressure to conduct in person office hours simply because they have returned to in-person teaching. In-office interaction occurs in closer proximity and smaller quarters than in-class interaction, and many lecturers and part-time faculty share office space with others, making in-person office hours a risky endeavor. Given that we have thus-far relied on virtual office hours to address safety concern—and consistent with CSUF [UPS 230.020](#)— faculty are within their rights to hold office hours virtually despite having returned to in-class instruction.

What are the protocols for safe cleaning/disinfecting in common areas such as classrooms, elevators, and stairwells?

- At the Provost Forum on April 13, our campus community was informed that elevators and stairwells will be equipped with signs reminding users to “do their part” in maintaining a safe and clean environment. Classroom door handles will be disinfected “at least daily or as needed based on the level of use.” ([CSUF Instructions for a Safe Return, April 2021](#) & [CSUF COVID-19 Cleaning Disinfecting Levels.pdf](#))
- Disinfectant wipes will be provided in all classrooms and college/department distribution locations for cleaning personal space. Departments will be ordering PPE and disinfectant wipes as part of the re-entry process and faculty should be informed of where PPE and disinfectant wipes will be stored in their buildings.
- The CSU shall ensure all workspaces are deep cleaned per CDC guidelines and all high-touch surfaces can be easily disinfected by users. To that end, CFA-Fullerton calls on the university to provide hand sanitizing stations throughout campus and commends CSUF for disinfecting wipes for high-touch or shared workspaces.

CFA reminds faculty of their rights under COVID-19:

- 1. Right to work remotely**
- 2. Right to not face professional setbacks in evaluations and assignments**
- 3. Right to safe and clean campus**
- 4. Right to intellectual property**
- 5. Right to resume normal practices when this is over**