

AFA EXECUTIVE COUNCIL MEETING MINUTES

February 9, 2011

(Approved by the Executive Council on February 23, 2011)

Executive Councilors present (noted by *):

*Warren Ruud, <i>presiding</i>	*John Daly	*Lynn Harenberg-Miller	Audrey Spall
*Alix Alixopoulos	*Dianne Davis	*Reneé Lo Pilato	*Mike Starkey
*Paulette Bell	*Cheryl Dunn	*Michael Ludder	*Julie Thompson
*Lara Branen-Ahumada	*Brenda Flyswithawks	*Sean Martin	*Jack Wegman
*Paula Burks	*Karen Frindell Teuscher	*Dan Munton	

Officers/Negotiators present: Ann Herbst
Faculty present: Michael Aparicio, Terry Ehret, Karen Stanley
Students present: Jessica Jones (accompanied by faculty member Katie Gerber for presentation re: Talloires Declaration)
Staff present: Judith Bernstein, Candy Shell

The meeting was called to order at 3:02 p.m. in the Bertolini Student Center Senate Chambers on the Santa Rosa campus.

MEMBER CONCERNS

1. Use of PED&A Facilities for Employee Wellness Activities. Reneé Lo Pilato informed the Council that, on behalf of faculty and staff, she is attempting to start a dialogue with the dean of P.E., Dance & Athletics regarding the possibility of making accessible to faculty and staff the District swimming pool and exercise machines/equipment on both the Santa Rosa and Petaluma campuses, when they are not otherwise in use. Reneé noted that most colleges and universities sponsor employee wellness programs. These programs have demonstrated benefits in terms of improving employees' physical and mental health and well being, which translates to increased productivity, fewer absences, etc. Reneé hopes to engage Staff Development, Dr. Rudolph, and Dr. Agrella in conversations to gain their support for this idea.

MINUTES

The minutes from the January 26, 2011 Executive Council meeting were accepted with the following correction: In the middle of the first sentence in the second bullet at the top of page 7, the phrase "...the worst-case scenario could be worse than it is now..." will be replaced by "...the worst-case scenario could mean less part-time representation than there is currently..." (Approved minutes are posted on the AFA Web site at www.santarosa.edu/afa/minutes.shtml .)

DISCUSSION ITEMS

1. Request for Approval of Talloires Declaration. Warren noted that the Cabinet has reviewed this declaration and recommends that the Council approve it. (The declaration and related information are available at www.ulsf.org/programs_talloires.html .) Jessica Jones, Associated Students Vice President of Programs and President of Students for Sustainable Communities,

and Earth & Space Sciences faculty member Katie Gerber appeared before the Council. Ms. Jones made a presentation regarding the efforts of several campus and community groups to meet with deans and other important bodies at SRJC (including AFA, the Academic Senate, Classified Senate, Student Senate, IEE, and IEPC) in order to solicit their support and endorsement of the Talloires declaration. The goal is to present this declaration of sustainability to Dr. Agrella, for his endorsement and signature at an Earth Day celebration on April 20, 2011. To date, Ms. Jones has met with seven different District bodies. She described the history of the declaration, noting that individuals representing UCs, CSUs and community colleges drafted it in 1990 in Talloires, France. Similar to the Kyoto protocol, the declaration is a symbolic policy through which educational entities recognize their responsibility as institutions to address environmental issues and foster environmental citizenship. According to Ms. Jones, various SRJC groups, including the Institute for Environmental Education, the Student Senate, Associated Students for Sustainability, and Students for Sustainable Communities are all working operationally on issues of environmental education and sustainability, but they are not working collaboratively. She said that the declaration would serve to unite the sustainability efforts of these groups, and that Dr. Agrella's commitment and endorsement would make the groups stronger and more powerful. The declaration allows for flexibility (there is no timeline), and the District could move at its own pace. Once Dr. Agrella signs the declaration, SRJC would join a network and would be able to share ideas and act in concert with other educational institutions. To date, there are 350 signatories. Three of California's community colleges—Shasta, Butte, and Cerra Coso—have signed the declaration. SRJC would be the fourth. Katie Gerber noted that the District has already implemented many of the declaration's recommendations, but most people are not aware of that fact. Existing District committees would be able to utilize the declaration's umbrella-like statement of sustainability principles to engage others in joining their efforts. It was pointed out that "sustainability" is number 8 on the District's list of institutional outcomes. In addition, Director of Institutional Research KC Greaney has reported that, in a District survey, students scored the lowest on environmental awareness. Jessica Jones and Katie Gerber encouraged Councilors to attend the "Green Campus Tours" of both the Petaluma and Santa Rosa campuses scheduled for PDA Day, February 17. Following the presentation, the Council unanimously approved a motion made by Brenda Flyswithawks and seconded by Diane Davis to move this item to action. (See Action Item #2.)

2. AFA Budget Analysis Team. Warren reported that, in light of the fact that the District is facing difficult budget years ahead, the Cabinet has been talking about the need to form a small team of faculty to engage in a deeper analysis of the District's budget. Three faculty members (Will Baty, Learning Resources; Anna Brown, Mathematics; and Jack Wegman, Social Sciences [Economics]) have indicated an interest in serving on such a budget analysis team for AFA. All three of these individuals are regular faculty members, and they would be compensated for their time on the team through their college service obligation; therefore, AFA would not incur any increase in reassigned time expenses. Team members would receive training in Escape, the District's new budget and financial program. The team would report its findings to the Council. Jack Wegman suggested that the Council consider the addition of Lynn Harenberg-Miller, adjunct in Communication Studies, to the team, as she has experience working in the banking industry. Warren noted that the present goal is to establish the team, that the membership on the team is not limited, that there would be no compensation for faculty serving on the team, and that the activities of this team, like other committees, might increase or diminish over time. By unanimous voice vote, the Council approved a motion made by Brenda Flyswithawks and seconded by Lara Brannen-Ahumada to move this item to action. (See Action Item #1.)
3. Resolution re: Hiring Adjunct Faculty to Contract Positions. Warren thanked Publications Coordinator Julie Thompson for her work on the resolution, which stands as an affirmation of one of AFA's principles. If adopted by the Council, staff would post the resolution on the AFA Website and the District would be notified. It is also possible that the Council could direct the negotiations team to use the resolution as a guide in negotiations with the District. It was

suggested that AFA distribute the resolution to the various hiring committees. Michael Ludder distributed copies of a "more prescriptive" document that he developed, which states that, if an adjunct faculty member applies for a contract position and meets the qualifications, s/he should be granted an interview. Warren noted that the text that Michael submitted took the form of contract language, as opposed to a resolution, and that it is not appropriate for AFA to assume a negotiating stance on an issue before it has sunshined its interests with the District. In response to a question about what the procedure would be for forwarding this item to the negotiations table for consideration, Chief Negotiator Ann Herbst said that, if the Council felt that the language of the resolution fit into any existing Contract article, it could direct the negotiations team to ask the District if they would mutually agree to open that article. If the District did not agree, then, given that AFA has one article left to open in negotiations, the Council could direct the negotiations team to open that last article. In response to a request for examples of ways in which AFA could devote its efforts and resources to supporting the hiring of SRJC adjunct faculty, it was suggested that AFA could offer annual workshops on resume writing and interviewing. Those workshops would benefit those who are applying for contract positions at SRJC and/or at other colleges. Although many departments have a past practice of hiring internally on a regular basis, there are many other departments that do not. AFA could use the *AFA Dialogue* to initiate a discussion on the topic and foster a conversation across the District. Following the discussion, by unanimous voice vote, the Council approved a motion made by Dan Munton and seconded by Julie Thompson to move this item to action. (See Action Item #3.)

4. Addition to Policy: Adjunct Cabinet Representative. Warren highlighted the proposed additions and changes to *AFA Policy: Cabinet* and *AFA Policy: Duties of Appointed Positions*, which were recommended by the Cabinet. This change to policy is a recommendation in the December 8 ACCT report. The majority of the proposed changes stem from the addition of the Adjunct Cabinet Representative position and corresponding list of duties. The phrase, "Perform other particular one-time duties as directed by the Cabinet or the Council" was added to the list of duties for the DTREC Co-Chair and the BFA Representative, in order to make the duties for all four appointed positions parallel and internally consistent.

The Council discussed the nature of the role of a liaison and how best to describe that role. (For example, would the Adjunct Cabinet Representative work directly with adjunct faculty? Would s/he be a liaison between adjunct faculty and the Cabinet? Or, would s/he work through the Council to provide input that directly focuses on issues applicable to adjunct faculty?) Vice President for Petaluma Cheryl Dunn drew a parallel between her role and the role of the Adjunct Cabinet Representative. Cheryl sees her role as representing her constituents (Petaluma faculty) at Cabinet meetings, and she suggested that the Adjunct Cabinet Representative could operate in a similar manner.

In response to a question, Warren clarified that the statement about maintaining confidentiality was specifically included in the list of duties of the Adjunct Cabinet Representative because of the possibility that a member other than a Councilor, Negotiator, or Officer would be appointed to that position. There is no policy requiring members to maintain confidentiality. Councilors, negotiators, and officers are bound by confidentiality through AFA Policy, and the other three appointed positions are each bound by confidentiality through their job descriptions. Several Councilors suggested including the same statement in the list of duties for all four appointed positions, and no one voiced any objection to that idea.

The following question was posed: If an adjunct Councilor were to be elected as Vice President for Santa Rosa or Petaluma, would there still be an election for an Adjunct Cabinet Representative? Warren stated that there is nothing in the Bylaws or AFA policy that would preclude one person from filling both roles. The two positions would be elected separately, but the first election would not negate the same person being elected to the second position. (As an example, the BFA Representative is typically also a negotiator.) The only two positions that cannot be held by the same person are the president and the chief negotiator.

By the end of the discussion, the Council had reached consensus on making the following additional changes to the two policies:

- *AFA Policy: Cabinet*, fifth line: Strike the word "Officers" and replace it with "positions": "The Cabinet is composed of the following ~~Officers~~ positions";
- *AFA Policy: Cabinet*: Remove "Adjunct Cabinet Representative" from the second set of bullets (i.e., the list of positions invited to attend Cabinet Meetings), and place it as the last item in the first set of bullets under "The Cabinet is composed of the following positions";
- *AFA Policy: Duties of Appointed Positions*: Delete the existing wording of Item #2 and reword as follows: "Act as a liaison in the interests of adjunct faculty to the Cabinet and the Executive Council."
- *AFA Policy: Duties of Appointed Positions*: Add "Maintain confidentiality" to the list of duties for the Publications Coordinator, the District Tenure Review & Evaluations Co-Chair, and the Bay Faculty Association Representative.

By unanimous voice vote, the Council approved a motion made by Brenda Flyswithawks and seconded by Paula Burks to move this item to action. (See Action Item #4.)

5. Election Timeline. Warren reviewed the Spring 2011 elections timeline, which is as follows:
 - Nomination forms and candidate statements are due to the AFA office by 12 noon on Monday, February 14;
 - Online voting will open later that same day (Monday, February 14);
 - The deadline to submit an online ballot will be 12 noon on Wednesday, February 23;
 - Election results will be reported at the Cabinet and Council meetings on February 23;
 - Nominations for officers, negotiators, and other positions will be included on the February 23 Council meeting agenda; and
 - The election of officers, negotiators, and other positions will be included on the March 9 Council meeting agenda.

Warren noted that conducting the balloting online, as compared to conducting it through the U.S. Postal service, increases the number of days voters will have to cast their ballots. A suggestion was made to use the opportunity presented by widespread faculty attendance on PDA day to remind AFA members to vote. Warren said that it was not likely that AFA would be able to act on that suggestion. As a consequence of CFT's current decertification effort, the District has restricted AFA's access to PDA activities.

ACTION ITEMS

1. AFA Budget Analysis Team. (See Discussion Item #2.) By unanimous voice vote, the Council approved a motion made by Brenda Flyswithawks and seconded by Lara Branen-Ahumada to approve the establishment of an AFA Budget Analysis Team.
2. Talloires Declaration. (See Discussion Item #1.) By acclamation, the Council approved a motion made by Brenda Flyswithawks and seconded by Lara Branen-Ahumada to support and endorse the Talloires Declaration. (The declaration and related information are available at www.ulsf.org/programs_talloires.html .)
3. Resolution re: Hiring Adjunct Faculty to Contract Positions. (See Discussion Item #3.) By unanimous voice vote, the Council approved a motion made by Dan Munton and seconded by Paula Burks to adopt the resolution as presented. (The resolution is posted on the AFA Web site at www.santarosa.edu/afa/Misc/AFA_res_hiring-adj.pdf .)
4. Addition to Policy: Adjunct Cabinet Representative. (See Discussion Item #4.) Warren noted that, in order to approve this position and the related changes to AFA policies, a two thirds

vote of the Council (13 votes in favor) at this meeting would be required; otherwise, a simple majority of the Council members present would be required to approve this item at the next Council meeting. In a vote conducted by a show of hands, the Council unanimously approved a motion made by Brenda Flyswithhawks and seconded by Paula Burks to approve the position of Adjunct Cabinet Representative, and the revisions to the *AFA Policy: Cabinet* and the *AFA Policy: Duties of Appointed Positions* as amended. (AFA policies are posted on the AFA Web site at www.santarosa.edu/afa/pol_and_proc.shtml.) Warren pointed out that, although it is not necessary to fill the position immediately, it would be possible to approve an appointment at this meeting by two-thirds vote of the Council. No motion was forthcoming; hence, this position will be included in the list of officers, negotiators, and other appointed positions to be elected in March. Warren noted that many of the duties for this new position would roll over from the present Adjunct Liaison to the Cabinet, and he asked that the Council consider the current Adjunct Liaison to the Cabinet, Mike Starkey, as having a slight increase in responsibilities.

5. Constitutional Proposal: Council Composition. The Council discussed this member-proposed change to the Constitution at the February 9, 2011 meeting. Warren Ruud noted that the Constitution requires that the Council vote on this proposal at this particular meeting. He acknowledged that there are two sides to the issue of the composition of the Council, and neither side trusts that the other side will support its interests. No member has brought forward another proposal to amend the Constitution at this time; however, the Council may entertain any proposal from any member in the future. In order to be forwarded to the membership, two thirds of the Council (13 of 19 members) would have to vote for approval. The Council engaged in an extensive discussion about the proposal, and the following comments were made:

- All Councilors should represent all faculty members. Everyone should be accountable to everyone. The council should be a deliberative body, and that means that reason should win the day. No group should have such unilateral power that persuasion and argument do not have to take place.
- To those who are skeptical about the real democratic potential to organize adjunct faculty to win the at-large seats in order to increase adjunct representation on the Council, what evidence do you have that makes you believe that enough adjunct votes couldn't be mustered to win three or four seats? People have expressed fears and doubts, but no reasons have been given.
- What objections are there to at-large voting? Do we have any rational predictors, not limited to fear or mistrust? Is there any meaningful evidence that at-large voting would result in a stacking of the deck?
- Should the Council interpret this proposal as a first step or is this the endpoint? Could the Council include an amendment that has a review clause (i.e., is this working out)? Such a clause might alleviate fears and could serve the interest of both sides.
- Using very rough figures, there are approximately 600 adjunct members of AFA out of a total of 1,200 adjunct instructors, and approximately 300 contract faculty members of AFA. Although it varies from election to election, historically, a low percentage of adjunct members vote, and a high percentage of contract members vote. There have been other elections where it seemed that the stakes were incredibly high, and yet a greater number of adjunct members did not participate. For those reasons, I don't feel confident that there wouldn't be enough adjunct votes to win three or four seats.
- This proposal does not assure that adjunct faculty will have at least the same number of representatives that they have now.
- There has to be some discussion and persuasion on both sides. Just to maintain the composition that already exists won't get us to that point. The composition has to be

more balanced, which requires a more balanced number of representatives, so that it does require both part-time and full-time faculty to make agreements.

- This proposal is a compromise. People on both ends of the spectrum are unhappy with it. There are full-time faculty members who are just as dissatisfied with it as adjunct faculty. This proposal is not something that one side has done to the other, however. It is an attempt to bring forward a compromise.
- This proposal gives contract faculty a guarantee of ten seats, and only gives adjunct faculty a guarantee of five seats. That is not sufficient and it is not a compromise, just because the at-large seats are a free for all. There is a structural imbalance that I cannot support. I would love to see open elections for all seats. If everyone voted for everyone, that would moderate the voices. This proposal doesn't recognize the 550 adjunct members of AFA or the other 500 adjunct faculty members, and I cannot support it.
- I have a problem with process—the adjunct Councilors were not consulted in the development of this proposal. (Warren responded that every Councilor saw the proposal at the same time, with the exception of the Cabinet, who saw it earlier. Warren also shared it with ACCT's facilitator.)
- The use of the word "moderate" in discussions in relation to the at-large seats is confusing and problematic. Either you have at-large elections or at-large seats. (Warren clarified that ACCT recommended two at-large seats, with all the other dedicated seats being elected at large.) Some are concerned that all of the at-large seats will go one way or the other. And others are concerned that if you let everyone vote for everyone, it's going to go one way or the other. Yet some are saying that an at-large election would produce more moderate results. Councilors seem to be arguing opposite positions.
- The adjunct instructors are afraid of the same thing that the regular instructors are afraid of—the fear is the same (i.e., "I respect your strength more than you respect your strength" and vice versa). I appreciate the work that has been done on the proposal, but it attempts to do too much. It attempts to satisfy so many of the ACCT recommendations simultaneously, but you can't satisfy them all simultaneously. One of the ACCT recommendations is to have at-large elections. One of the constraints is that the regular faculty has fewer than 13 seats and the adjunct faculty has greater than 6 seats. This presents a problem in that none of us could go to the table and say, at the end of the vote, what the representation of this body will be. That is not a risk that I'm willing to take. I am not willing to risk a stable and knowable composition, for what could occur due to gamesmanship behind the scenes while we talk to our colleagues.
- If I vote today for this document, I'm not necessarily saying that I'm voting for this document, but I'm voting to send it out to the membership at large. I take that responsibility seriously. Is this proposal something that attempts to improve things and address some of the concerns? Is it well considered? It may have created some concerns that didn't exist before. This proposal is something that could go out to the electorate at large to decide and maybe it should. There is a distinction between how I feel about this proposal and how I would feel at the time of the election.
- The All Faculty Association has been about representing all faculty. The economic times have created different perceptions and this current diversion is detrimental to the long-term health of this institution. We are a model for many institutions. The pitting of full-time versus part-time has eroded us as a faculty, and it's affecting the community and our students. One of the reasons we founded AFA was that we were working hard at representing all faculty. The linked schedules and Article 16 are proof of that commitment. All interests can't be satisfied at the same time. We can't control state and national economics. AFA needs to step up as a faculty organization and focus on how we can survive and pave a positive future, which many of us have worked so hard to establish.

- When AFA does things right, they really do it right. An example is ACCT. Everyone worked together professionally and came up with great ideas. Going back to three meetings that the Council had in fall, the majority of those meetings were full-time faculty talking about not being represented on the presidential search and hiring committee. That is exactly how adjunct faculty feel about the Council. Adjunct instructors want to have a voice, not a kangaroo court. We have to get people on board by persuasion. We're all working as the same team. If we were all facing the same cuts, we would have worked harder. I care about the college a lot. I'm sorry to see where it's been going lately, all the problems, all the dissension. I know we can do better, but I don't think that this proposal is good for the part-time faculty. I stand for all faculty, but it was the part-time faculty who voted me to this seat. The people I talked to did not think this proposal fit what we need.
- Just because one disagrees with this proposal or is planning to vote against it, doesn't mean that one is against AFA.
- The proposal isn't the issue—the behavior and attitude are the issues. Everyone is so blended into the mix, we're not looking at it clearly now.
- After the report came out of the ACCT, I was hoping the entire Council would sit together and come to a consensus that would emerge organically. The process of bringing this proposal forward was part of the problem.
- There was a perception that there was no discussion. The ACCT report came out right before the break. The Council discussion didn't happen until today. The ratio of 10-5 is out of balance. How would the Council feel if the numbers were 8, 7, and 4 at large?
- I would be against that idea, because I'm afraid you would end up with 10 adjunct and 9 contract. I would never cede a majority vote on the Council and a majority vote in the membership, even though my adjunct colleagues don't show up to elections. If 301 adjunct instructors vote, they could outvote contract faculty on the membership and outvote contract faculty on the Council.
- Certain things will mobilize part-timers, like ending up with 9% pay cut.
- The real unknown is the 10-5-4 wild card. The "worst" outcomes (10-9 or 14-5) seem specifically objectionable to enough people, as to incite and inspire problems. What would be the best result—12-7 or 11-8? That's something I could live with. Why don't we just decide to vote on that makeup and take away the uncertainty and fear? It captures the basic principle that points ought to be moved by persuasion.
- I thought carefully about the idea about putting this proposal to the membership for a vote, but I wouldn't support that proposal for this reason: adjunct faculty came to this Council and asked us to put to the membership a 50/50 proposal. That was a choice with excluded middles. The faculty was not provided reasonable options. The Council would have sent forward to the faculty a half-thought-out resolution that the Council couldn't even agree on. This proposal is maybe better thought out, but the Council can't come to agreement on it comfortably. This isn't the best we can do either. At a meeting in Petaluma where the idea of 50/50 first came out, I said I wouldn't support it, but I said I would support 11-8 or 12-7. There is no question that the current composition is not right and I would like to make it right, short of making any group feel at risk. If you want to go forward with 12-7 or 11-8, I will work with you.
- I think that 12-7 or 11-8 is the right answer. It satisfies a lot and encourages the whole discussion. How can we get there?
- This discussion has been very helpful for all of the Councilors. When I first read this proposal, I had a negative, not entirely rational, reaction to the idea of four at-large positions. I recognize that adjunct feel that they don't have a strong enough voice, and I want to be equitable and fair. Yet, to say that anyone has unilateral power is not a

correct premise. It has taken a great deal of work to separate out the distortions, misrepresentations, and personal attacks towards Council members from the ideas and proposals under discussion. I would like all of that negativity outside the Council to stop, but I am not sure whether it ever will. The first recommendation in the ACCT report was no fewer than 11 regular faculty and no fewer than 8 adjunct faculty. I would like the Council to consider that idea—it is a compromise to this compromise proposal.

At this point in the discussion, there was a call for the question. Before the vote was taken, Warren informed the Council that, if the current proposal did not receive 13 votes in favor, then it would not be sent to the membership, and that the Council could entertain other ideas at future meetings. In a vote conducted by a show of hands, the proposal received no votes. The Constitutional proposal submitted by Warren Ruud will not be submitted to the membership for their approval.

MAIN REPORTS

1. President's Report. Warren Ruud reported the following:

- Board of Trustees Meeting. At the February 8, 2011 Board meeting, there was a discussion about the reinstatement of the sabbatical leave program. President Rick Call stated at the meeting that, if regular faculty members were to take their approved sabbatical leaves, it would result in the loss of adjunct faculty jobs. No one at the meeting corrected his statement and clarified that, in fact, those approved leaves would provide 17 FTEF in new adjunct assignments.
- Legal Advice re: Decertification Attempt. Based on a conflict of interest, AFA's attorney Robert Bezemek has recused himself from advising AFA on matters related to CFT's current decertification attempt. The Cabinet has identified another attorney to consult and anticipates spending several thousand dollars for legal advice related to this matter.
- College Council. College Council is continuing its review and discussion of a proposed revision to *District Policy 3.6* and *Procedures 3.6P: Program Review, Evaluation, Revitalization, and Discontinuance*.
- Student Participation in FACCC Events in Sacramento in March 2011. A number of SRJC students may be interested in attending two upcoming events in Sacramento: (1) the FACCC Advocacy & Policy Conference, on March 6 & 7; and/or (2) the March in March, on March 14. Warren told Student Affairs Director Robert Ethington that AFA may be willing to provide some financial support (somewhere between \$300 and \$400) to cover the cost of registration fees and travel expenses to one of these events. Warren noted that he was told the March in March might be cancelled, as the event organizers neglected to make any arrangements for buses to park close to the event activities.
- AFA/District Past Practice Agreements. Warren and Conciliation/Grievance Officer Audrey Spall plan to present this list of agreements to Dr. Agrella at their monthly meeting on Tuesday, February 22, 2011.

2. Negotiations Report. This report and subsequent discussion were conducted in closed session.

The meeting was adjourned at 5:12 p.m.

Minutes submitted by Judith Bernstein.