

AFA EXECUTIVE COUNCIL MEETING MINUTES

April 13, 2011
(Pending Approval)

Executive Councilors present (noted by *):

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

Officers/Negotiators present: Ann Herbst
Councilors-elect present: Mary Pierce, Eric Stadnik
Staff present: Judith Bernstein

The meeting was called to order at 2:35 p.m. in the Bertolini Student Center Senate Chambers on the Santa Rosa campus.

MEMBER CONCERNS

1. Cuts to the Summer 2011 Schedule. An AFA member contacted Paulette Bell expressing concern about the Summer 2011 class cuts, which the member read about in a College-wide e-mail, would be capricious in nature. This instructor included some mathematical calculations on how she thought the cuts were being made, which Paulette forwarded to the department chair for clarification. The process of how the cuts were being made elicited additional concerns in that there was the possibility there could be math errors in how many sections were cut in each department; that there were no procedures in place for how the cuts would be made; and that there was no transparency in how the cuts were made. Paulette reiterated Councilor concerns from a previous AFA meeting on whether the decisions made by deans regarding section cuts were appropriate, and then asked whether it was under AFA's purview to look into these issues.

Councilors made several comments, including: (1) part of the problem is that registration for special populations was supposed to start on April 11, but was delayed until April 18th; (2) in various forums, the District has indicated that the cuts to the summer schedule, as well as to the fall and spring schedules, would be targeted towards specific programs and would not be across-the-board; (3) problems with a lack of transparency regarding the schedule occur most often at the department level—it's not District-wide; (4) some departments use the same procedures for making summer assignments that they use for fall and spring, and some have entirely different procedures for summer; (5) AFA is currently working to make improvements to Article 16, but AFA can't impose the same procedures on every single department; (6) according to Academic Affairs, the people making the cuts are not supposed to be making decisions based on who's teaching the class, but rather on which course is the best one to cut under the circumstances. Warren Ruud reiterated that the cuts are not across the board. He noted that it's possible for one FTEF in one department to be equivalent to many more sections than one FTEF in another department. He also said that the District is

reacting to what's happening at the state level, which is changing from day to day, so they can't have a plan that they're going to make in January and stick to through May. The District is still trying to determine what will put the College in the best position going into the Fall 2011 semester.

MINUTES

The Council accepted the minutes from the March 9, 2011 Executive Council meeting and the April 2, 2011 Executive Council retreat as submitted. (Approved minutes are posted at www.santarosa.edu/afa/minutes.shtml .)

DISCUSSION ITEMS

1. Proposed Change to Constitution (M. Starkey/S. Martin). Councilors received a copy of the proposed changes prior to the meeting for their review. (The proposed changes are posted at www.santarosa.edu/afa/ACCT/AFA_Constitutional_Change_Proposal_Starkey-Martin_04.11.pdf .) Sean Martin directed the Council's attention to new language in Section 2 of Article IV that he and Mike Starkey are proposing. The new sentence is designed to resolve the dilemma that, should the Council and the membership approve the proposed Constitutional changes regarding the composition of the Council, the current configuration of Councilors would be out of compliance with the Constitution the moment the approved changes went into effect. Sean noted that the new sentence ties in with Section 4 of Article IV, which speaks to the length of each Councilor's term. He said that, before reaching the full 11-8 composition (11 contract/8 adjunct), the Council would minimally have to wait until the entire term of all currently serving Councilors has been completed. Sean also clarified that the changes that he and Mike are proposing to Article IV regarding the composition of the Council are not intricately related to the proposed changes to Article III regarding the dues structure. He suggested that any concerns that Councilors have regarding AFA's finances and ongoing structural deficit need not negatively impact their decision about approving the changes to the composition of the Council.

Warren laid out a timeline, noting that the Council would be voting on the proposed changes at the April 27th meeting. If the Council approves the changes, the ballot would be sent out to the membership on April 28th, with a voting period of no more than ten days. In addition to proposed changes to Articles III and IV of the Constitution, the ballot could contain other items, and Warren suggested that, as discussed previously, the Council consider requesting that the membership approve an increase in the ceiling (or maximum) dues rate. The increase would remedy a structural problem in the AFA budget, which has been caused by a number of factors including the decrease in AFA's revenue (which is a result of lower payroll that is a consequence of the District's cuts to the schedule); an increase in AFA's share of what the District used to pay for adjunct faculty college service; and expenses related to increases in staff time, as well as officer and negotiator reassigned time. One possible option that has been suggested would be to increase the contract faculty dues rate and decrease the adjunct faculty dues rate. (As an example, an increase of 0.20% in the dues rate is equivalent to 20 cents on \$100.) Although the Council is required only to set a ceiling on the dues rate, Warren recommended that the Council consider proposing to the membership an increase in the rate, which would stabilize the budget. He noted that AFA's rates are still lower than almost all other community college faculty unions around the State.

Paulette Bell commended Mike and Sean for their work on the proposal, which she said was a good compromise and one that she could support. She added that she didn't see the proposed changes as the end goal and hoped that the Council would be open to making more changes in the future after they see how these proposed changes are working.

Jack Wegman proceeded to share with the Council his perspective regarding a philosophical discussion he and Sean Martin have been engaging in about one particular sentence in the proposed change to Article IV, Section 1: "Each member of the Executive Council shall

represent all individuals eligible for membership in the All Faculty Association.” Jack contrasted this sentence to the sentence in the preamble to the *AFA Constitution* that begins: “The goal of this organization is to represent ALL regular, probationary, temporary and adjunct faculty...” Jack characterized the issue he has with the proposed sentence as a Councilor issue—not a regular faculty or adjunct faculty issue—and he noted that he and Sean have not been able to reach agreement on the matter. Jack pointed out that, in the preamble, the duty of representation is delegated to the Council as an entity, whereas the Article IV, Section 1 proposed language suggests that the duty to represent all faculty members is delegated to each individual member of the Council. He went on to say that a tension arises, because adjunct Councilors are elected by their adjunct faculty constituents and contract Councilors are elected by their contract faculty constituents; thus, the proposed sentence means that Councilors are being asked to represent people who didn’t vote for them. Jack suggested that, in order to be philosophically consistent, all faculty members should vote for all Councilors and all Councilors should represent all faculty members. He said that, for him, the issue boils down to one of free speech. He expressed concern that, if each Councilor is to represent all members, it would be possible in the heat of an argument on a particular topic, that a Councilor could be in violation of the Constitution. For example, if a Councilor said that something was not in the best interests of adjunct faculty, then that Councilor would not be representing all faculty members. Jack said that he would rather eliminate Section 2 and leave the preamble, but he would prefer also to eliminate the proposed sentence in Section 1. He questioned whether the sentence in Section 1 added any benefit to the Constitution that the preamble didn’t already cover. Warren commented that the proposed sentence doesn’t say that Councilors have to represent all constituents equally, and he offered, as an example, how a U.S. Senator represents her state constituents as well as the interests of the entire nation.

Looking at the language of that sentence in the context of the complete preamble, Sean noted that the goal of the organization is the goal of the framers of the Constitution. Organizations don’t have goals—the people who run organizations have goals. He made reference to the “fallacy of composition,” which is attributing to the whole the properties of the parts, and he used, as an analogy, the relationship between a basketball team and its individual players. Though each individual member of a team may be the best at their respective position, this doesn’t mean it is the best team. He said he embraces the notion that when he is elected as a Councilor, he serves all faculty. In the past, when interests have radically conflicted, Councilors have, perhaps due to frustration with the process or the appearance that there is a lack of genuine dialogue, turned at some point to the view—that they need to serve as exclusive advocates for their constituents; however, Councilors ought to take the interests of each group into account, and they can’t reasonably ignore the conflicting interests of competing groups. He suggested that engaging in a genuine and productive dialogue is the most balanced and reasonable way that the Council can develop proposals designed to serve the best interest of all groups. Sean suggested that, if a proposal harms one group, he has a duty as a Councilor to at least weigh this against the interests of the other group, regardless of who elected him. AFA officers, for example, represent all faculty, regardless of the constituency from which they came. Sean said that he appreciated that language could be ambiguous, and added that he was open to entertaining alternative wording.

Warren suggested that the rest of the Council take some time to consider the various issues and come prepared to have a discussion and perhaps make an adjustment to the language at the next meeting. Julie Thompson offered to send an email to the entire Council with her notes on the discussion so as to continue the dialogue via email and allow for “wordsmithing” before the next meeting.

2. Adjunct Councilor Vacancy (Mid-term Resignation/Remainder of 2009-11 Term). As previously reported, Councilor-elect Eric Stadnik was the only adjunct faculty member to express interest in the vacant seat by the 5:00 p.m., March 18th deadline. Warren suggested that, as the Council considers issues throughout the rest of the semester, it would be beneficial to have the full complement of Councilors. He noted that the Bylaws provides for an appointment to a vacant seat by two-thirds approval of the entire Council. There being no discussion, by

unanimous voice vote, the Council approved a motion made by Lynn Harenberg-Miller and seconded by Sean Martin to move the item to action. (See Action Item #1.)

ACTION ITEMS

1. Adjunct Councilor Vacancy (Mid-term Resignation/Remainder of 2009-11 Term). Following discussion (see Discussion Item #2), by a unanimous show of hands, the Council approved a motion made by Cheryl Dunn and seconded by Lara Branen-Ahumada to appoint Eric Stadnik to the vacant adjunct Council seat for the remainder of the term, which expires on the first day of the Fall 2011 semester (14 in favor).

MAIN REPORTS

1. President's Report. Warren presented brief reports on the following items:
 - Board of Trustees Meeting. At the April 12th meeting, the Board announced a decision not to hire any of the three finalists and to continue the search for a new Superintendent/President. Dr. Agrella will continue serving in that position for the time being.
 - California Community College Independents (CCCI) Spring 2011 Conference.
 - CCCI Lobbyist Position. CCCI members engaged in a discussion about hiring a CCCI-dedicated lobbyist, who would be charged with making appearances at all member campuses and presenting advocacy workshops. All the CCCI-member associations are considering a contribution to pay for this ongoing expense. Warren suggested that the Council consider an ongoing annual contribution in the \$5,000 range, and noted that this matter would be scheduled as a discussion item at the next Council meeting.
 - Changes at the California Community Colleges Chancellor's Office and CalSTRS. Executive Vice Chancellor Eric Skinner has moved on to a new position, and a new vice chancellor has been appointed. There will be a contested election this year for the members' representative on the CalSTRS Board.
 - Spring 2011 Broken Heart Award. The recipient of this "award," which is presented semi-annually to the CCCI-member association that has experienced the greatest difficulties with its district, was the Yosemite Faculty Association (Modesto Junior College), where the District laid off 14 full-time faculty members in 11 different departments, and eliminated many adjunct positions.

The meeting was adjourned at 3:15 p.m.

Minutes submitted by Judith Bernstein.