

## **AFA EXECUTIVE COUNCIL SPECIAL MEETING MINUTES**

August 31, 2011

*(Approved by the Executive Council on September 14, 2011)*

Executive Councilors present (noted by \*):

*Warren Ruud, <i>presiding</i>	*Cheryl Dunn	Sean Martin	*Julie Thompson
*Paulette Bell	*Brenda Flyswithawks	*Dan Munton	
Lara Branen-Ahumada	*Karen Frindell Teuscher	*Mary Pierce	(Three vacant
*Paula Burks	*Andre Larue	*Audrey Spall	adjunct seats)
Dianne Davis	*Reneé Lo Pilato	*Mike Starkey	

Officers/Negotiators present: Ann Herbst, Lynn Harenberg-Miller, Jack Wegman

Faculty present: Jo Caulk

Guests present: Jonathan Lightman, Executive Director, [FACCC](#);  
Bryan Ha, Director of Field and Faculty Advocacy, [FACCC](#)  
Mitra Moassessi, President, [Santa Monica College Faculty Association](#)

Staff present: Judith Bernstein, Candy Shell

The meeting was called to order at 3:06 p.m. in Doyle Library, Room #4245, on the Santa Rosa campus.

### **MEMBER CONCERNS**

1. AFA Executive Council Adjunct Faculty Vacancies. On behalf of an adjunct faculty member, Lynn Harenberg-Miller asked whether AFA plans to fill the current adjunct Councilor vacancies by holding an election or by Council appointment. Lynn conveyed the faculty member's hope that AFA would hold an election. Paulette Bell reported that she has received similar feedback in terms of adjunct faculty preference for an election. Warren Ruud said that several Councilors are in the process of drafting an email announcement and solicitation of candidates for the vacancies, and they plan to send it out as soon as possible. After adjunct faculty members respond to the solicitation and it is clear how many candidates there will be for the three open seats, the Council will decide whether to fill the seats by appointments or an election. (See the AFA Bylaws at [www.santarosa.edu/afa/Misc/bylaws.pdf](http://www.santarosa.edu/afa/Misc/bylaws.pdf)).

### **MINUTES**

There being no corrections or additions, the Council accepted the minutes from the August 24, 2011 Executive Council meeting as submitted. (Approved minutes are posted at [www.santarosa.edu/afa/minutes.shtml](http://www.santarosa.edu/afa/minutes.shtml).)

### **DISCUSSION ITEMS**

1. [FACCC](#) Contract Membership. Warren Ruud introduced three guest speakers, who came to talk to the Council about the advantages of a FACCC contract membership for SRJC faculty. The speakers included Jonathan Lightman, FACCC Executive Director; Bryan Ha, Director of Field and Faculty Advocacy; and Mitra Moassessi, Santa Monica Faculty Association President and full-time instructor in the Mathematics Department.

Jonathan Lightman, FACCC Executive Director since 1999, began by describing why FACCC exists and why it was created. In 1953, when all community colleges (CCs) were "junior" colleges and attached to K-12 and high schools, a group of faculty members from Long Beach Community College (LBCC) joined together. They "surveyed the landscape" and decided that they needed an organization that was not tied to management. (At that time, CTA represented management.) This group of LBCC faculty created the predecessor organization to FACCC, which initially was based in Long Beach and subsequently moved to Sacramento in the late 1960s. FACCC's membership grew from 400 to 1,200 during that time. From the early 1970s to the late 1990s, FACCC's membership grew from 1,200 to 7,000. In the 1970s, most community college faculty members affiliated with faculty unions such as CFT and CTA, whose predominant membership is not from community colleges, but from K-12. Jonathan said that the same holds true today, but the stakes are much higher now, as overall revenues are decreasing, and a dollar that doesn't go to CCs, goes somewhere else.

Jonathan said that there are three "big ticket" challenges faced by California community college faculty:

1. **The Budget:** The legislature made a decision to underfund Proposition 98 and reduce the amount of money going to K-12 and CCs. When legislators approved the budget, they created a revenue figure of \$4 billion and then built in cuts that would happen automatically, according to a variety of scenarios based on lower revenue figures, to eliminate the need to hold further meetings if the revenue did not reach \$4 billion. The budget has impacted every faculty member, whether his or her teaching load remains the same or has been eviscerated. It's impossible to say if there's a game plan to get those students back, when the resources aren't there.
2. **Academic Freedom:** This is an era when the general preparedness level out of K-12 is declining, and students can't afford the other segments. The media, think tanks, and politicians are all saying that faculty members only care about their students until the census is taken at three weeks, they generally don't care about student success, and all of this shows up in transfer rates. Some of the better proposals involve requiring more students to go through matriculation and the process of learning about their options. There are other proposals, however, that impact faculty as the center of the classroom. Administrators will become far more involved because they want to demonstrate to the media, think tanks, and politicians that CCs are doing a better job. That involvement could impact academic freedom.
3. **Retirement:** [Senate Bill 27](#) is currently in a suspense file, but it will return in another form. In addition to some other provisions, SB 27 says that, if you retire, you would have a hard and fast 180 days during which you couldn't come back and work as a faculty member while a retired annuitant. Faculty members at the higher end of the pay scale who are thinking about retiring might decide to postpone their retirement, which is more expensive to the district. There appears to be no clear policy reason for this provision, and the overall sense amongst faculty is that the provision is designed to negatively impact their choices. Other proposals undermine the existence of the Defined Benefit (DB) plan. Faculty members make less compared to what they would make in private industry, because part of a faculty member's compensation is deferred through the DB plan. There is a whole movement to create hybrid plans, including straight "defined contribution" plans, or to completely eliminate the DB plan. Using the unfunded liability within CalSTRS and CalPERS as a reason to eliminate the DB plan is a concerted strategy in which you lower taxes for a certain group, create budget shortfalls, backfill the shortfalls, and then blame public employees for the problem.

Jonathan said that, as executive director of FACCC, his job is to figure out how to communicate the discomfort that FACCC's individual members are feeling to the people in Sacramento who make the decisions, and also to engage FACCC's members. FACCC is not tied to management or K-12. When FACCC goes to the capitol, it knows it has an army of people behind it. FACCC typically makes presentations to ask individual faculty members to join FACCC; however, for every new FACCC member who joins, a FACCC member is lost due to retirement. Faculty members need to insure stability in their statewide voice. The push for contract membership is not about FACCC, it's about the future of the profession and of students. Santa Monica, Foothill-

DeAnza (FHDA), and Santa Barbara CC have become contract members. AFA has always had a good consensus that there needs to be engagement. If AFA becomes a contract member, it sends a very critical message to students, faculty, and the legislature. Jonathan said that the situation is so dire that "...the longer we wait, the longer we're accused of not doing enough to create a game changer in our environment. Most importantly, for those who are planning to retire, will you have enough people following you? The same is true for younger faculty, and for faculty who are just starting out in their careers."

Mitra Moassessi noted that Santa Monica College (SMC) has been a contract member of FACCC for the past 12 years, and it was the first community college to enter into a contract membership with FACCC. Mitra provided an answer to the question, "We're already getting the service for free—why should we do it?" by comparing contract membership to taxes. "Why do I need to pay the tax to go to the library or drive on the road? Other people pay for it anyway. If I don't, all those other people will. FACCC is our voice in Sacramento. Do we want to have a strong voice or not? If so, we need to support FACCC and make it a strong organization. If not, there's always Santa Barbara, Santa Monica, and Foothill-DeAnza who will pay for it. By supporting FACCC, we're supporting ourselves." Mitra said that it is a waste of FACCC's energy to spend time recruiting new members on an individual basis. For every new member FACCC signs up, it loses a member to retirement. Instead, they should use their energy to go to Sacramento to meet with legislators and focus on the budget and legislation. She noted that she doesn't have the time and energy to both run the SMC Faculty Association (SMCFA) and be in Sacramento, and she needs someone to advocate in Sacramento while she is fighting the local issues.

Jonathan and Mitra briefly discussed the status of and FACCC's opposition to [AB 515](#) (Brownley)—a bill that would allow community college districts to establish and maintain extension programs for credit courses. The president and board members of Santa Monica College were among the original sponsors of the bill. Jonathan said that FACCC opposes the bill and is not interested in supporting proposals that divide community college faculty. He said FACCC "always tries to get the best deal within the values of our members." He added that FACCC's objective is to restore core sections for faculty and students, and to get higher education working again in this state. Warren added that, thanks to a FACCC Board press release and emails from Jonathan, Bryan, and FHDA President Rich Hansen, Warren learned that the District was listed as one of the supporters of AB 515. Within 48 hours after Warren confronted Dr. Agrella and the Board about the issue, they withdrew their support.

Jonathan spoke briefly about the role of community colleges in offering remedial education courses. He spoke about the Hoover Commission, created in 1960s to find efficiencies in state government, and the [Campaign for College Opportunity \(CCO\)](#), an organization that takes the view that (1) student fees are not high enough; (2) community colleges don't put up enough barriers and are trying to educate too many students; (3) the tax base is only so high; and, therefore, (4) community colleges should only focus on educating those students who have a probability of success. Adult Education in K-12 has been decimated; however, there is a great deal of research that says that a student who goes into remedial education and takes non-credit courses, while co-enrolling in credit courses, sees a future in education. The high school dropout rate is continuing to climb. What does the future look like? Will there be a return to the junior college model, where only those students who need a bill like AB 515 are worthy of an education? Or, is the model going to be that everyone who can benefit from education deserves to have one, and community colleges will be given the ability to teach students and turn them into something better, producing for the State, and getting the economic engine of the State moving again? Jonathan said that AB 515 is symptomatic of that discussion.

Mitra commented that all of the SMC board members were extremely concerned about what FACCC's position was on AB 515, which, she said, is a sign of FACCC's strength and power as an organization. She argued for making FACCC more powerful, noting that the reason why legislators listen to FACCC is because of the large number of people whom FACCC represents. For example, if Mitra states, as the SMCFA president, that SMCFA is not going to support a Board member's candidacy in the next election if that Board member doesn't do xyz, that Board member knows that Mitra is speaking as a representative of 1,200 faculty members who vote. The same principle is true for FACCC. Numbers are important, and the way to increase those numbers is by

increasing the number of contract memberships. Mitra said the message is very simple: Do you want to have a strong voice in Sacramento or not? If so, become a contract member.

Jonathan said that, as an immediate benefit of contract membership, those faculty members who are already FACCC members will see a decrease in the amount of dues they pay. The current system of tax deductibility is that, of the \$180 in annual dues a regular faculty member pays, the first \$18 goes to the PAC, which leaves \$162 potentially deductible as a business expense. Contract membership, on the other hand, is 100% deductible as the money goes directly to FACCC's Education Institute to support research, education, and professional development. FACCC contract members receive two levels of price breaks—tax deductibility and a discount on dues. In addition, FACCC provides customized services that differ depending upon the interests of each community college. For example, SMCFA wants strategy sessions that provide opportunities to tie into what is happening in Sacramento. FHDAFA wants professional development workshops. SRJC faculty might want to ask FACCC to create a special Santa Rosa lobby day in Sacramento. FACCC is engaged currently in conversations about contract membership with the Contra Costa Faculty Association. FACCC's hope is that faculty who join won't be silent. "FACCC should have 10,000 members saying, 'What are you doing about it?'"

In response to a question about how a change at the federal level might affect decisions at the state level, Jonathan said that most of the decisions about higher education are made by the states, and that local boards reflect what is happening in Sacramento and Washington. The federal government has specific control over grant money, particularly in the area of Workforce Development, and the impact on education is less a function of an individual as it is a function of the party in power. Jonathan gave several specific examples with regards to issues about raising the debt ceiling, redistricting, and non-discretionary defense spending. He said that California is not a growing state and would not be gaining a congressional seat. He spoke briefly about upcoming races in the state assembly and senate, said that FACCC has a state PAC, not a federal PAC, and described the interview process that FACCC engages in with every individual who is newly running for office. Candidates do not receive the questions in advance, and FACCC judges them by their responses according to criteria that FACCC has established. Jonathan noted that FACCC goes through this process as early as possible (rather than waiting until the candidate gets into office and is getting ready to vote on an issue), and, thus, FACCC develops relationships with legislators that are "incredibly fundamental." He also said that FACCC takes an integrative approach to its advocacy. When FACCC is singled out amongst all education advocates to discuss a particular vote, it shows that FACCC is doing its job.

Mitra pointed out that all FACCC contract members are eligible to vote in FACCC elections. If a particular union is running a candidate for the FACCC Board of Governors, that union would have the ability to recruit a large block of votes in favor of its candidate. Also, if a contract member college has a candidate running for a seat on the FACCC board, a seat on the Board is guaranteed, regardless of the number of votes that candidate receives.

With regard to the campaign (e.g. How long was the campaign? How did the vote turn out? Was there resistance?), Mitra said that a high percentage of SMC faculty were already members of FACCC. By the time the campaign began, many faculty members already knew about FACCC. SMCFA decreased its dues by becoming a FACCC contract member. SMCFA held two or three membership meetings, and the campaign didn't take that long. Some faculty members were very persistent in their efforts to recruit votes in support of the campaign and, even though "there are always some faculty members who resist whatever it is you are doing," there was a very high turnout. SMCFA has heard no complaints since. Whenever Bryan or Jonathan make presentations at SMC about the budget or legislation, people write to Mitra to express their thanks. Mitra made the point that community college faculty members are all professionals, and FACCC is a professional organization—not a union.

Mitra explained that there is no "opt-out"—every faculty member in a contract member college has to join FACCC and pay the dues. Santa Monica College structures the payment differently than Foothill-DeAnza. At FHDA, the FACCC contract membership dues are part of the FHDA union dues. At SMC, every faculty member pays FACCC dues, the district remits the dues money to the SMCFA, and SMCFA sends the dues money to FACCC.

Bryan mentioned that FACCC is hoping to schedule an event on September 29<sup>th</sup> on the Santa Rosa campus that would be similar to the budget workshop that Noreen Evans spoke at two years ago. He expressed appreciation to the Council for engaging in the discussion about contract membership during these trying economic times. He said that numbers give FACCC leverage, and he commented that legislators think of FACCC as a think-tank. He reiterated that FACCC does not split its loyalties between K-12 and the community college—it only works for community college faculty.

Mitra noted that FACCC played a major role when the SMCFA filed a suit against their district for violation of the “50% rule,” and SMCFA won that lawsuit. When equalization passed, the SMC district received a lot of money, but the district was not willing to share the funds with the faculty. Thanks to FACCC’s support, the SMC board responded favorably to a letter that SMCFA wrote to the board asking how SMC board members were spending the money. Mitra said that, “FACCC has been there every time we needed their help.”

Jonathan said that he doesn’t know a single person who cares about education in this country who isn’t angry. There has been a systematic attack on pensions, which began towards the end of the Clinton era. Nothing is going to get better unless faculty leaders take action for the future of the community, the faculty who will follow them, and the students.

Warren pointed out that all of the current contract members of FACCC are independent unions (members of [CCCI](#)). He suggested that there is a window of opportunity this year for SRJC to become a contract member. Warren also reported that, prior to the Council meeting, students met with Jonathan, Bryan, and himself, to discuss ways that students could become more engaged in political advocacy at the state level.

### **ACTION ITEMS**

1. AFA Appointments. Warren Ruud reminded the Council that AFA still needs a representative on the Sabbatical Leave Committee. Reneé Lo Pilato reiterated the offer she made at the 8/24/11 Council meeting to serve, if needed, as AFA’s representative on the Equal Employment Opportunity Advisory Council (EEOAC), because she is a Senate appointee to that committee. Subsequent to Renee’s offer, Jack Wegman indicated his willingness to serve on EEOAC. Also at the 8/24/11 meeting, Dianne Davis volunteered to serve on the Professional Development Committee (PDC). By unanimous voice vote, the Council approved a motion made by Cheryl Dunn and seconded by Paula Burks to confirm three appointments: Jack Wegman as AFA’s representative on the EEOAC; Dianne Davis as AFA’s second representative on the PDC; and Mike Starkey as the third member of AFA’s Political Action Committee (AFA PAC).
2. AFA/District MOU re: 2011-12 Pilot Program for Articles 14A and 14B (Evaluations). (See Negotiations Report.) Following a discussion held in closed session during the Negotiations Report, by unanimous voice vote, the Council approved a motion made by Dan Munton and seconded by Audrey Spall to direct the AFA Negotiating Team to sign a Memorandum of Understanding with the District regarding a pilot program for Articles 14A and 14B (Evaluations) for the 2011-12 academic year. The Council joined Warren in expressing appreciation to Lynn Harenberg-Miller and Jack Wegman for their efforts over the past year in working on revisions to these two articles with District administrators Kris Abrahamson and Abe Farkas. Warren noted that, if the pilot program were to be successful, the two articles would be permatized in this year’s Tentative Agreement (TA). If the pilot program reveals that changes need to be made, then revisions to the articles would be incorporated into the TA.

### **MAIN REPORTS**

1. President’s Report. Warren Ruud presented brief reports on the following items:
  - [California Community College Independents](#) (CCCI) Advocacy. CCCI is proceeding with the hiring of a half-time lobbyist and has moved into the negotiations stage with a particular individual. The Foothill-DeAnza, Santa Monica, and Contra Costa faculty associations have each committed to contributing \$15,000 towards the cost of this position. AFA has not yet made a commitment. Warren suggested that Councilors begin to think about how much they would recommend that AFA contribute.

- CCCI Fall 2011 Conference. The fall conference is scheduled for October 13 – 15 in San Diego. AFA typically sends four individuals to CCCI conferences, which are held twice a year (in northern California in the fall, and in southern California in the spring). AFA has a [conference policy](#) that outlines the selection guidelines. Warren sent the Council an email with the conference details, and asked that those Councilors who are interested in attending contact AFA staff by September 12.
- [CalSTRS Board](#) Election. In conjunction with CCCI, AFA has endorsed [Sharon Hendricks](#), who is running for the open community college seat on the CalSTRS Board in an election that will be held this fall. Among many other organizations, CCCI, FACCC, the Los Angeles College Faculty Guild, and Foothill-DeAnza Faculty Association have endorsed Ms. Hendricks' campaign. (CTA is supporting the other candidate, who does not have a Web site at the present time.) CCCI will be contributing \$3,900 to her campaign, and CCCI President Rich Hansen is asking all of the CCCI member associations to contribute a similar amount. Warren recommended that Councilors begin to consider the total amount they would support contributing to this campaign and to CCCI's half-time lobbyist. He said that he would speak to Rich Hansen about how CCCI might split up the total. Warren said he would consult with AFA Secretary/Treasurer Paula Burks about the amount of the contribution. He may ask Councilors for their feedback via email, and he will bring a recommendation to the Council for their approval.

Jack Wegman asked for clarification about the Council's process for asking or informing the AFA membership about AFA's contributions to campaigns. Warren stated that he views this type of Council action as part of representative democracy, that it is difficult to survey the membership every time a request comes to the organization, and he considers this type of contribution to be appropriate if the Council reaches a consensus. Jack expressed interest in finding out:

- (1) whether the current members of the Council support making a contribution; and (2) how they feel about making a contribution to a political campaign without a message to the membership. Warren said that he would place this discussion item on the agenda for the next meeting, noting that, due to time constraints, the Council would need to make a decision about the contribution at the same meeting.
2. Treasurer's Report: May & June 2011. Paula Burks presented a summary of the 2010-11 year-end Treasurer's Report. She reported that, while year-end revenue was approximately \$8,700 lower than projected, year-end expenses were also lower than projected (by approximately \$13,200) and the net revenue for the year was higher than projected (by approximately \$4,500, for a total net loss of approximately \$14,800). AFA's decreased revenue was a result of the District's reduction in class sections and lower faculty payroll, in addition to a lower return on investments. The largest expenses in the last quarter of 2010-11 were reassigned time and stipends; staff wages, which were higher than projected due to increased workload resulting from the decertification attempt; conference and travel expenses for the spring CCCI conference; and legal fees for consultation with an outside attorney regarding the decertification attempt. Paula said that she would be working with Candy Shell on a budget for the 2011-12 year, and they hope to have a draft proposal ready for the Council to review at the next meeting. Paula commented that AFA has a number of ongoing fixed expenses. Given that the District has no plans to replace the many long-time regular faculty members who will be retiring over the course of the next several years with new full-time hires, she anticipates that AFA's revenue will continue to be reduced.
3. Conciliation/Grievance Report. This report and subsequent discussion were conducted in closed session.
4. Negotiations Report. This report and subsequent discussion were conducted in closed session. After coming out of closed session, by unanimous voice vote, the Council approved a motion made by Brenda Flyswithhawks and seconded by Karen Frindell Teuscher to move to action the approval of an AFA/District Memorandum of Understanding regarding a pilot program for Articles 14A and 14B (Evaluations) for the 2011-12 academic year.

The meeting was adjourned at 5:19 p.m.

Minutes submitted by Judith Bernstein.