

AFA EXECUTIVE COUNCIL MEETING MINUTES

September 28, 2011

(Approved by the Executive Council on October 12, 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	<i>(Three vacant</i>
*Paula Burks	*Andre Larue	*Audrey Spall	<i>adjunct seats)</i>
*Dianne Davis	*Reneé Lo Pilato	*Mike Starkey	

Officers/Negotiators present: Ann Herbst, Jack Wegman
Faculty present: Greg Sheldon, Karen Stanley
Staff present: Judith Bernstein, Candy Shell

The meeting was called to order at 3:10 p.m. in the Doyle Library, Room #4245, on the Santa Rosa campus.

MEMBER CONCERNS

1. Substitutes. On behalf of a colleague in her department, Paula Burks carried forward a concern regarding the difficulty in trying to cover emergency and other absences under a restriction on hiring substitutes. The concerned faculty member suggested that, given limited staffing due to the District's decision not to replace full-time retiree positions, it is "impossible to run a library without substitutes." The faculty member also said that the District "cannot enforce a policy of no substitutes unless it is willing to shut down facilities," and that action does not serve to further the District's mission to provide services to students. Paula clarified that the situation that gave rise to the concern developed because a faculty member wished to attend a professional conference, but was unable to find someone to cover evening and daytime hours on the reference desk. Paula noted that the policy that Academic Affairs provided to the department stipulates that, if there is an emergency, there will be no paid substitutes unless there are extraordinary circumstances, and the supervising administrator must approve the substitute. It was suggested that there ought to be a way to get special dispensation on a onetime basis for situations like this one. Brief discussion followed, with several Councilors providing specific examples when special circumstances arose in their own departments that resulted in approval of a substitute.

MINUTES

There being no corrections or additions, the Council accepted the minutes from the September 14, 2011 Executive Council special meeting as submitted. (Approved minutes are posted at www.santarosa.edu/afa/minutes.shtml.)

ACTION ITEMS

1. Appointment to AFA Budget Advisory Team. As a follow-up to an item previously discussed at the Council's fall retreat, Warren Ruud noted that Lynn Harenberg-Miller, negotiator and adjunct faculty member in Communication Studies, has been asked to serve on the AFA

Budget Advisory Team (BAT), joining current members Will Baty, Anna Brown, and Jack Wegman. By unanimous voice vote, the Council approved a motion made by Dianne Davis and seconded by Paula Burks to approve the appointment of Lynn Harenberg-Miller to the BAT.

2. Adjunct Councilor Vacancies. Warren informed the Council that 13 adjunct faculty members submitted statements of interest in response to AFA's call for candidates to fill three current adjunct Councilor vacancies, effective immediately. Two seats are for two-year terms (2011-13), and one seat is for a one-year term (the second year of a 2010-12 term). Warren noted that, in accordance with the AFA Bylaws, the Council must decide whether to fill the seats by appointment or by election. The Council also needs to decide on a timeline and confirm other election parameters. By unanimous voice vote, the Council approved a motion made by Karen Frindell Teuscher and seconded by Cheryl Dunn to fill the three vacancies by election.

Warren suggested that the next steps in the process would be to inform the candidates about the decision to hold an election and allow time for the candidates to prepare and submit statements and photos for the AFA Website and the ballot. He suggested a deadline of 5:00 p.m., Monday, October 3, for the candidate statements. In accordance with past practice, candidate statements/photos will appear in random order, rather than in alphabetical order, and a lottery will be conducted to determine the order. A tentative schedule would be to send out the ballot via Zoomerang.com in the morning on Wednesday, October 6, with the close of balloting and certification of results scheduled for noon, Tuesday, October 11. That timeline would give adjunct Members seven days to vote online. (When AFA conducted elections by paper ballots, voters had a ten-day window in which to cast ballots; however, that ten-day period included mailing time.) The three candidates with the most votes would be notified on Tuesday following the certification, so that, if possible, they could arrange their schedules to attend the Council meeting on October 12 on the Petaluma campus. Warren said that the Cabinet's recommendation is that the two top vote-getters would take the two, two-year term seats, and the next top vote-getter would take the one-year seat. All adjunct faculty members are eligible to cast votes, but their votes will only be counted if they are members or become members by the end of the balloting period. Following the discussion, by unanimous voice vote, the Council approved a motion made by Paula Burks and seconded by Dianne Davis to approve the timeline and election parameters as presented. Staff will notify the candidates.

3. FACCC Contract Membership. Following discussion (see Discussion Item #1), Warren described three different scenarios re: the FACCC contract membership rate: (1) every faculty member would have an automatic payroll deduction (labeled FACCC dues) for ten months—\$4.50 a month for adjunct faculty and \$16.20 a month for contract faculty; (2) every faculty member would pay a fixed percentage rate on the order of between 0.15%-0.20% of payroll (labeled FACCC dues); or (3) the Council would ask the membership to vote for an increase in the AFA dues assessment, with the idea that the increase would be dedicated to FACCC dues. The increase would be on the order of an additional 19 cents on every \$100 of wages. In either of the first two scenarios, the District would remit the dues directly to FACCC. In the third scenario, AFA would remit the dues to FACCC. Warren suggested that a proportional rate would be preferable to a fixed dollar rate, because of the number of adjunct faculty members who have very small assignments (such as, for example, in Public Safety). He cited data from recent load reports that show that approximately 16 percent of the adjunct faculty works less than a 10 percent load, and 30 percent works less than a 20 percent load. Warren said that it would be preferable that FACCC maintain the same rate for the term of the contract, which would most likely be three years.

The Council engaged in a lengthy discussion about several ideas and issues, including: (1) what AFA's financial needs might be in the next several years; (2) the possibility of AFA's taking a more active role in advocacy—not just statewide, but in local board elections; (3) the benefits of amending the Constitution so as to allow the Council to establish a ceiling on the dues rate, as many other faculty associations do, and then to set the rate anywhere below the ceiling without having to go back to the membership to approve the rate change; (the Council discussed this idea when considering the ACCT recommendations last year);

- (4) the benefits of tying the FACCC dues rate to payroll rather than to a head count; and (5) what FACCC needs from AFA in terms of length of commitment and amount of dues. In addition to other benefits, FACCC provides all FACCC members with a hard copy of its newsletter. Warren said that an AFA dues rate of 0.75 percent of gross wages would still be among the lowest rates in the Bay Area. Some rates are as high as 1.50 percent of gross wages. He also pointed out that, unlike many other collective bargaining units, the proportion of AFA's chargeable activities is almost 100 percent. Following the discussion, by unanimous voice vote, the Council approved a motion made by Julie Thompson and seconded by Mary Pierce to send to the membership a vote re: (1) becoming a FACCC contract member with a recommendation to approve and (2) increasing the ceiling on AFA dues from 0.55 percent to 0.74 percent, with a corresponding change to the AFA Constitution at a later date that would allow the Council to establish a ceiling and then set the rate anywhere below the ceiling.
4. Adjunct Councilor Leave: Fall 2011. Following discussion (see Discussion Item #2), by unanimous voice vote, the Council approved a motion made by Dan Munton and seconded by Sean Martin to approve the suspension of the Bylaws and, subsequently, to approve a one-semester leave for Lara Branen-Ahumada for the remainder of the Fall 2011 semester.
 5. FACCC Part-Time Faculty Symposium. Following discussion held during the President's Report (see below), by unanimous voice vote, the Council approved a motion made by Karen Frindell Teuscher and seconded by Dan Munton to approve payment of registration fees for approximately 10-12 adjunct faculty members who attend FACCC's Part-Time Symposium on October 29th. An invitation will be extended to currently sitting adjunct Councilors and Negotiators, current adjunct faculty members of FACCC, and current candidates for the three vacant Council seats. Depending upon the number of participants, reimbursement for carpool mileage may be available.

DISCUSSION ITEMS

1. [FACCC](#) Contract Membership. As part of the continuing discussion about the role of FACCC and what it does for SRJC faculty, Warren invited Greg Sheldon to address the Council. Greg is a regular faculty member in the Counseling Department and former long-time AFA Executive Council member who was elected by FACCC members to serve as a regional member of the FACCC Board of Governors for a four-year term. Greg echoed what others have said, which is that FACCC is the only organization that strictly advocates for community colleges at the State level, and it is not involved at all with K-12 faculty issues. He noted that the Los Angeles Guild is also an effective advocate for community colleges; however, its efforts are primarily focused on LACCC, which has more than eight campuses in its district. FACCC's focus is on all legislation that affects community colleges at the local, State, and federal level. Having followed FACCC Executive Director Jonathan Lightman around the capitol and watched him in action, Greg said that Jonathan is an extremely effective lobbyist.

Greg briefly talked about his experience as chair of FACCC's CalSTRS committee. He said that FACCC's committee structure is quite extensive, including committees that focus on legislation, communication, part-time issues, CalSTRS, and political action. Greg pointed out that, between all the different FACCC committees, seventy-five faculty members from different community colleges around the State provide direction to the FACCC professional staff. He described the Board of Governors' schedule of meetings, which occur every six weeks and last one day and a half, alternating between southern and northern California, with one four-day session occurring once a year. FACCC pays for travel expenses, and the experience provides Board of Governor members with an opportunity to meet faculty from all over the CC system who are working on the same issues at the State level. Warren pointed out that, as a contract member college, SRJC would be able to have a designated seat on the Board of Governors.

Greg mentioned the partnership that AFA and FACCC began several years ago, wherein the two organizations split the cost of the first year of FACCC membership for all first-year probationary faculty hires and the first ten adjunct faculty members to respond to the invitation to join. He

suggested that that partnership was the first step in supporting FACCC, and contract membership is the next step. Contract membership provides members with a discount in dues, and it allows FACCC to use the dues money for the FACCC Educational Institute. It allows AFA to contact Jonathan Lightman to get the budget data straight from FACCC that can then be used in negotiations. FACCC also provides conferences and budget workshops, and is a tremendous resource for SRJC faculty. The greater the number of faculty members across the state who belong to FACCC, the more power faculty will have in Sacramento.

Greg reiterated that FACCC doesn't just send out form letters to candidates, they literally interview candidates with specific questions about community college issues. FACCC supports candidates who are most in support of community college issues. He recommended that, instead of just continuing to sit in Santa Rosa feeling helpless or writing letters to legislators, SRJC faculty need to pay dues to support FACCC, because "they go in there and fight." Greg said that it is particularly important that the independent community colleges—those not affiliated with a state or national union—become contract members.

Warren cautioned that people who think they know what community colleges should be doing are pushing some very draconian changes at the State level. He said that the Task Force for Student Success, which is about outcome-based funding, could have huge implications for students and the future of community colleges. He predicted that, shortly after the November election, CalSTRS pensions will be under attack and suggested that the faculty is going to have to get plugged in across the State with a vehicle like FACCC, so that we are all "pulling on the oars in the same direction."

Greg and Warren briefly discussed the unsuccessful Prop. 92 campaign, which would have provided a stable funding structure for community colleges, but was thwarted by a last minute infusion of \$6.5 million from CTA. Warren said that CTA, whose membership is 90% K-12 teachers, supported Prop 92 through its developmental stage and then, once it qualified, became one of its biggest opponents. K-12 enrollment is decreasing and community college enrollment is on the rise, and CTA felt defeating Prop 92 would help shore up K-12 funding at the expense of community colleges.

Julie Thompson read from a list of highlights of FACCC's legislative achievements over the past four decades, which includes AB 1725, the Part-Time Faculty Health Benefits Program, Part-Time Faculty Office Hours, improvements in CalSTRS benefits, audits re: the 50 percent law, and Prop 92.

Following Greg Sheldon's presentation, the Council engaged in a lengthy discussion, which included the following comments and questions:

- FACCC is already incredibly successful in lobbying to achieve all it has accomplished; however, it is still not clear what extra services we would get that we're not already receiving if we become contract members and send them more money.

Warren responded that FACCC resolved several problematic cases with EDD over unemployment insurance denials that they would not have taken care of if AFA were not considering contract membership. (None of the faculty members involved were FACCC members.) Twice a year they would put on educational presentations. Just recently they organized the special forum with Michael Allen. In addition, FACCC takes on specific research projects for its contract members. (For example, as Mitra Moassessi from Santa Monica College mentioned in her talk to the Council last month, FACCC helped SMC faculty pursue their suspicions that SMC was in violation of the 50% law, which requires that at least 50% of a district's expenditures are supposed to be directly related to instruction. As a result of an audit that FACCC imposed, it was revealed that—in addition to nine other community colleges—SMC was, in fact, in violation of the 50% law. Also, SRJC faculty would gain a designated seat on the FACCC Board of Governors. Warren said that SRJC faculty would be helping FACCC do what it has been doing, and he used NPR as an analogy: it will go on even if we do not do our fair share of supporting it, but if we do our part and everybody else does their part, we'll be a lot stronger.

- Would FACCC use the additional money to hire more lobbyists or other staff?

Warren responded that, while the amount of money that SRJC would generate by becoming a contract member is not a huge amount, it would be difficult to say how exactly FACCC would use the money. The dues money would go to FACCC's educational institute. The FACCC PAC is also contributing money to campaigns of legislative candidates who are community college-friendly. Julie Thompson pointed out that FACCC has had to let some of their office staff go because they don't have enough money, and she suggested that they might be able to hire support staff to help them do their best work.

- The arguments to support FACCC are fairly compelling. The question is not whether FACCC does a good job or not. There is overwhelming evidence that they do. The question is about timing. Do our adjunct colleagues support taking money out of their paychecks at a time when they haven't seen a pay raise in two years and many have lost jobs? Is this a good thing to do right now, given that there is nothing on the horizon in terms of any increase in our pay?

Paulette Bell suggested that it would be a hard sell to those faculty members who have not heard about FACCC, and that AFA would have to make a strong effort to encourage those faculty members to come to a presentation so they could hear the information. Mike Starkey said that FACCC has accomplished a great deal for adjunct faculty, and that things would be a lot worse without them. Warren suggested that adjunct faculty are already more assertive and proactive than regular faculty. They realize that they have to get out in front because they see their salaries cut and their jobs going away. Many of the issues that FACCC has taken on are adjunct-oriented (e.g., EDD and unemployment insurance, strengthening reassignment rights, and increasing options for SDI and Social Security).

- Would it be appropriate to wait until after the adjunct Councilor election? That would allow for many more adjunct faculty members on the Council to weigh in on the decision.

The problem with that idea is that this discussion would have to start all over again to bring the new Councilors up to speed.

- It would benefit SRJC faculty greatly to align with an organization that advocates for them at the State level. Affiliated unions typically charge dues at a much higher rate than AFA would be asking faculty to pay for FACCC contract membership.
- Becoming a FACCC contract member is something AFA should do because of the anti-education and anti-public sector climate in California, which is going to get worse. We can wring our hands or we can mobilize, become more proactive and politically active, and join together with other people.
- Warren noted that there could be a separate line on paystubs that would say "FACCC dues." Another possibility that might provide more flexibility to AFA is if FACCC dues were rolled into the AFA dues and fees structure. The membership would be informed that the Council wished to increase the dues rate in order to pay for FACCC contract membership. They would be asked to vote on contract membership and also on setting a ceiling for the dues rate. This latter option would allow the Council to set the dues rate a little lower than the ceiling. Warren noted that the period of the contract with FACCC is four years. After four years, the Council would have the opportunity for reevaluation.

Warren pointed out that current FACCC members who itemize can only deduct 80 percent of their FACCC dues on their income tax returns, but FACCC contract membership dues are 100% deductible. He also said that approximately 30 percent of adjunct faculty members have loads of 20% or lower. The Foothill-DeAnza Faculty Association sets a certain load threshold—anyone below that point isn't a FACCC member, since many people working at that minimal level are not that engaged. Non-members would not receive FACCC newsletters. Warren suggested that perhaps faculty members who don't meet the minimum load threshold but still want to be engaged could opt in to pay FACCC dues and be FACCC members.

In order to get the campaign started, Warren said that the Council would need to make a decision, issue a recommendation, and set a ceiling. He outlined a potential timeline for a

campaign that would culminate with the opening of the balloting period six weeks from today and ending one week before Thanksgiving. At some point in the next several weeks, Andrea York would present a workshop for adjunct faculty on unemployment insurance, retirement options, and pending legislation. FACCC staff would present a second, more general workshop for regular and adjunct faculty (topics to be determined). In the afternoon on Wednesday, October 26—two weeks before ballots are sent out—AFA would hold a general meeting, at which time faculty could ask questions and get information about FACCC and contract membership. The campaign would begin first with a request from AFA to current FACCC members asking their permission to add their names to an endorsement list. An informational email to all faculty members would follow. Warren clarified that approval of contract membership with FACCC would require first a majority vote of the Council followed by a simple majority vote of the AFA membership. Following the discussion, by unanimous voice vote, the Council approved a motion made by Mary Pierce and seconded by Dan Munton to move this item to action.

2. Adjunct Councilor Leave: Fall 2011. Warren informed the Council that, through no fault of her own, adjunct Councilor and negotiator Lara Brannen-Ahumada was assigned a class this semester by her department on Wednesday afternoons, and she will be unable to attend any of the Council meetings during the Fall 2011 semester. (Lara's term expires in August 2012.) The Bylaws require Councilors to miss no more than three meetings in any given semester; however, Warren noted that there is also a provision that would allow the Council by two-thirds vote to suspend the Bylaws and thus approve a one-semester leave. Brief discussion followed, and Warren confirmed that the same option would be available to other Councilors in the future at the Council's discretion if they unavoidably are assigned classes at the same time as Council meetings. He mentioned that, should the Council approve a one-semester leave for Lara, she has every intention of returning to serve on the Council for the remainder of her term. He also suggested that the Council possibly could offer the leave replacement seat to the fourth-place finisher in the adjunct Councilor election (or fifth-place finisher, if necessary). It was pointed out that several former Councilors have offered to serve as short-term leave replacements. Brief discussion followed about the benefits of a leave replacement who has knowledge and experience and is already up to speed versus someone who is at an earlier point in his or her career but has the potential to commit to AFA longer term. Warren pointed out that the Council could table that decision until after the election. By unanimous voice vote, the Council approved a motion made by Dan Munton and seconded by Sean Martin to move this item to action

MAIN REPORTS

1. President's Report. Warren presented brief reports about the following items:
 - Presidential Search Committee. There are eight candidates for the position of District Superintendent/President, and interviews are scheduled for October 11, 12, and 13.
 - Bay Faculty Association/Faculty Association for California Community Colleges Budget Workshop. Warren and Will Baty attended the 9/26/11 BFA meeting at which FACCC presented its annual workshop on the State budget. CCCCCO Vice Chancellor of Finance and Facilities Planning Dan Troy reported at that meeting that Tier 2 most likely will be reached, that there will be some deficit funding. He presented a four-year sliding budget projection and cautioned that 2015-16 may be a very bad year in terms of funding for education. Another topic of discussion at the workshop was the Task Force on Student Success (TFSS), whose report will be released next week. The task force's discussions have centered around the suggestion that community colleges provide increased accountability in terms of matriculating students through programs. FACCC opposes these measures that, if implemented, would affect the way districts would plan the schedule of classes (e.g., since Basic Skills courses have a much higher attrition rate than say, Calculus courses, the former may be reduced in the class schedule). FACCC has fought hard to prevent these measures from making their way through the legislative channels; however, the CCC Chancellor has adopted the notion of accountability and appointed a

commission to study the matter. The TFSS will present its plan at various regional meetings around the State, including the FACCC Part-Time Symposium at the end of October. One TFSS provision is that anyone who has any type of educational goal will receive an educational plan. Warren said that this plan would "balloon" student services. One of the ways that the TFSS proposes to pay for this is to turn Student Services over to paraprofessionals and, further, to develop a computer system, whereby students would log in and develop their own plans. There would be certain punitive consequences that would happen to students who don't progress through their plans and to the districts, as well, since funding will be tied to these plans. These measures could change the nature of community colleges. Warren noted that this topic was what Jonathan Lightman referred to at the August 31st Council meeting when he talked about the attack on academic freedom. He recommended that Councilors visit the [FACCC](#) Website and click on Student Success Task Force to learn more.

- Petaluma Student Services Dean. In response to a question about AFA's reaction to Dr. Agrella's 9/27/11 email regarding the District's hiring of the new Student Services dean for the Petaluma campus, Warren noted that the resolution referred to in the email was an Academic Senate document. He also clarified the message that the AFA Negotiating Team made clear in its communications with the District's negotiating team: since the District is holding the faculty to be roughly accountable through its concessions for a proportional amount of the shortfall between District expenditures and revenue, AFA has an increased interest in the District's expenditures. He also commented that no faculty members spoke publicly at the Board of Trustees meeting to support Senate President Terry Shell when he presented the resolution to the Board. Councilors briefly discussed the reaction amongst their colleagues to Dr. Agrella's email.
 - FACCC Part-Time Faculty Symposium: October 29. It has been AFA's past practice to pay registration fees for adjunct Councilors and negotiators who attend this annual, one-day FACCC workshop. Mike Starkey has expressed interest in attending; Paulette Bell, Lynn Harenberg-Miller, and Lara Branen-Ahumada are checking their calendars. The Cabinet has discussed the possibility of increasing the number of registrations that AFA would pay for beyond adjunct Councilors and negotiators to as many as 10 or 12. The fee for FACCC members is \$40 and, for non-members, it is \$50. Historically, FACCC receives very good testimonials about these workshops. AFA would cover carpool mileage for current Councilors and negotiators. One idea would be to extend an invitation to pay registration fees for any interested adjunct faculty member, with preference given to FACCC members. If there are any spots left over, then the invitation could be opened up by lot. Another idea would be to extend an invitation and give preference to the adjunct candidates who are running in the upcoming Council election. Warren asked the Council for their feedback. It was suggested that those faculty members who attend might be inclined afterwards to help support AFA's campaign to educate faculty about FACCC. It was also suggested that AFA could consider paying carpool mileage for more than just Councilors and negotiators, depending upon the number of people who express interest, and that 10-12 should be a soft number. By unanimous voice vote, the Council approved a motion made by Karen Frindell Teuscher and seconded by Dan Munton to move this item to action.
2. Negotiations Report. This report and subsequent discussion were conducted in closed session.
 3. Conciliation/Grievance Report. This report and subsequent discussion were conducted in closed session.

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

Minutes submitted by Judith Bernstein.