

EXECUTIVE COUNCIL MEETING MINUTES

November 9, 2011

(Approved by the Executive Council on November 30, 2011)

Executive Councilors present (noted by *):

*Warren Ruud, <i>presiding</i>	*Cheryl Dunn	*Andre Larue	*Mary Pierce
*Paulette Bell	*Terry Ehret	Reneé Lo Pilato	*Audrey Spall
*Paula Burks	*Brenda Flyswithawks	*Sean Martin	*Mike Starkey
*Ted Crowell	*Karen Frindell Teuscher	*Dan Munton	*Julie Thompson
*Dianne Davis	Lynn Harenberg-Miller	*Margaret Pennington	

Officers/Negotiators present: Ann Herbst
Faculty present: Phyllis Usina, District Online Committee Co-Chair
Guests present: Bryan Ha, [FACCC Director of Field and Faculty Advocacy](#)
Andrea York, [FACCC Director of Government Relations](#)
Staff present: Judith Bernstein, Candy Shell

The meeting was called to order at 3:07 p.m. in the Senate Chambers, Room #4638, in the Bertolini Student Center on the Santa Rosa campus.

MEMBER CONCERNS

1. FACCC Contract Membership, Increased Dues Assessment, and Adjunct Faculty. On behalf of an adjunct colleague, Margaret Pennington brought forward a proposition and asked that the matter be placed immediately on the meeting agenda as a discussion item for Council consideration prior to the election that is scheduled for the following week. The proposition is as follows: If the AFA membership approves the proposal to increase the AFA dues assessment in order to fund FACCC contract membership, then adjunct faculty would be exempted from paying the increased assessment until such time as the hourly pay cuts that occurred two years ago were restored. Margaret explained that the concern is not that adjunct faculty would derive less benefit than regular faculty from a FACCC contract membership, but rather that the exemption from the increased assessment would in some small measure mitigate the reductions to the hourly salary schedules.

Warren stated that the Council had considered a differential assessment in previous discussions. If the current proposal is approved by the AFA membership, the dues assessment would increase from 0.55 percent to 0.74 percent, and that part of the reason for the additional assessment would be to provide funding for a FACCC contract membership. He noted that, in prior discussions, the adjunct members of the Council expressed opposition to, and the Council rejected, the idea of having a differential assessment for part-time faculty and full-time faculty. He also clarified that, if there were to be a difference in the assessment between adjunct and regular faculty, that proposal would have to be presented to the membership for approval. The membership could vote for contract membership, and the Council could address a recommendation for the differential assessment at a later date. Until such time as that issue was resolved by the AFA membership through a revision to the AFA Constitution, the assessment would have to remain the same for both adjunct and regular faculty.

Several Council members spoke in support of the benefits of FACCC contract membership for adjunct faculty, which would include not only lobbying at the state level and an increased presence at the College, but also FACCC staff's availability to resolve adjunct faculty members' unemployment insurance issues with EDD. Councilors commented on the small amount of the increased assessment relative to the level of benefits received and noted that the benefits that adjunct faculty would receive from FACCC would be present independent of the amount of the assessment. Warren suggested that the Adjunct Issues Committee discuss the idea of a differential rate and whether they wish to rethink their previous position on the matter. Mike Starkey reported that the members of the Adjunct Issues Committee are planning to meet soon.

2. Grievance Process. Paulette Bell brought to the Council's attention her concerns regarding a three-year old grievance that she believes has negatively impacted like load, earnings, and assignment priority. She requested a meeting with the Conciliation/Grievance committee to review the matter and also asked the Council to follow up on the matter at a meeting in the near future.
3. Adjunct Medical Benefits Program Eligibility Criteria. Terry Ehret raised a concern about the eligibility criteria for the Adjunct Medical Benefits Program (AMBP), and she asked that the issue be placed on a future agenda as a discussion item. She stated her understanding that, at the present time, the AMBP is primarily funded by assessment redirection of 2 percent of hourly payroll, and adjunct faculty voted in favor of this deduction in order to support their fellow adjunct faculty members. She believes that recently some adjunct faculty members who voted in favor of the 2 percent assessment have subsequently lost load and, therefore, are no longer eligible for the AMBP. Since adjunct faculty members are the ones who primarily pay for the program, Terry suggested that they ought to have some say about who is eligible. Noting the hardship caused by losing load and eligibility for the AMBP, she asked whether it would be possible during the current budget crisis to address and renegotiate the eligibility criteria in order to extend eligibility to those faculty members who, for example, have seen their loads drop from 40 to 20 percent.

Warren clarified that some of the decisions regarding eligibility are not solely up to the District, but also depend upon the conditions of the State program and the District's medical benefits vendors. The vendors are concerned about adverse selection, and they also impose certain restrictions on the level of employment required for participation. The State established certain parameters when the program began. Last year, the State reduced its funding to districts for the AMBP by 62%, the same proportion as it reduced the budget for the other two part-time faculty categorical programs (office hours and compensation). Employees in the AMBP pay 50 percent of the premium, the 2 percent redirection from all hourly salaries covers another 40 percent of the premium, and the State contributes 10 percent of the premium. The State structured the AMBP such that the cost was to be split between the district (with State funding) and the employee. Historically, the District has expressed interest in providing the program, but not in funding it. Warren said that the Council and Negotiations Team in the past have considered whether to stay connected to the State program, and he clarified that any resolution of this issue would need to occur in negotiations with the District.

MINUTES

There being no corrections or additions, the Council accepted the minutes from the October 26, 2011 Executive Council meeting as submitted. The Council also accepted the minutes from the October 26, 2011 General meeting with one correction (the spelling of Jeffrey Michel's name at the bottom of page 3). (Approved minutes are posted at www.santarosa.edu/afa/minutes.shtml.)

DISCUSSION ITEMS

1. DTREC Peer Observation of Online Faculty. Phyllis Usina, chair of the District Online Committee (DOC) and regular faculty librarian at the Petaluma campus, presented an

overview of the *Guide for Evaluating Online Courses*. She explained that three years ago AFA contacted her in her capacity as DOC co-chair to ask her to work on the issue of evaluating online faculty. Phyllis commented that very often discipline peers and chairs who are evaluating online faculty have no idea about how to conduct the evaluation. Some online instructors have recounted stories of having to spend eight hours showing the evaluator what they do, well beyond what is required of a face-to-face instructor. DOC was charged with the task of developing a rubric or guide to help evaluators. Phyllis worked extensively with Eric Stadnik, who put in many hours while he served as a Senate-appointed adjunct representative on the District Tenure Review and Evaluations Committee (DTREC). Kris Abrahamson also contributed to the guide, as did Ted Crowell, when he was AFA's adjunct representative on DTREC. Phyllis said she did a tremendous amount of research. The subcommittee reviewed Contract Article 14: Evaluations, in addition to District policy and state guidelines, among other documents, and they based the rubric on DTREC forms and DOC's best practices for online instruction. (See the complete list of resources on the "Review Resources" tab at <http://libguides.santarosa.edu/content.php?pid=144801&sid=1232962> .)

After careful review, both DOC and DTREC approved the guide, which is temporarily housed on the following library Webpage: <http://libguides.santarosa.edu/dtrec> . Phyllis said that there has been discussion about moving the guide to the AFA Website, where the *Tenure Review Guide* is posted (see <http://www.santarosa.edu/afa/forms.shtml>). She noted that the *Guide for Evaluating Online Courses* is purely optional, and DTREC presents it to peer evaluators if they need assistance. She gave the Council a brief tour of the guide's Webpages and the content to be found under each of the 11 sections. She pointed out the specific examples that are provided in many of the sections and mentioned that faculty in pilot groups are finding the examples to be accessible and helpful. DTREC is highlighting the guide this semester by making presentations to the various constituent groups. Sean Martin, co-chair of DTREC, pointed out that whether an instructor or chair is evaluating an online class or constituents have questions about the process, they will find the "Steps to Follow" section to be very helpful, as it explains exactly how extensive the evaluation ought to be. He also said that the fact that an instructor doesn't teach online courses doesn't exempt him or her from evaluating an online instructor.

In response to a concern about the online evaluatee's workload, Phyllis explained that there is a policy in Section 3 of the District Policy Manual that regulates the accessibility of online material. (See [District Policy 3.12.3 Accessibility of Online & Web-based Instructional Materials](#) and [Procedures 3.12.3P Accessibility of Online & Web-based Instructional Materials](#) .) The District based the policy on Section 508 of the Federal Rehabilitation Act in response to the suit brought by students against Sonoma State University because certain online classes were inaccessible. The District policy and procedures were written very stringently and, according to the Chancellor's Office, they go beyond current practices at other colleges. Phyllis said that she would be bringing this issue to the attention of the AFA/District Workload Task Force, and she anticipates that the District policy will be adjusted next year based on the Chancellor's review.

Phyllis mentioned that the District is implementing Moodle as a platform and phasing out CATE. She pointed out that, when instructors are using these online tools, they will become part of the evaluation. She commented that instructors who teach face-to-face classes are also using more online components in their classrooms. Phyllis said that one of the guiding principles in developing this guide was that online instructors ought to be held to the same standards as face-to-face instructors, and the evaluation processes ought to be as similar as possible. Sean and Phyllis recommended that if faculty members have questions, they should send an email to Toni Eaton, who can provide them with assistance.

2. 2011-12 Budget. Treasurer Paula Burks presented a brief overview of the budget materials that Councilors received prior to the meeting for review. AFA's projected revenue for 2011-12 is lower than the projected revenue for 2010-11. Paula mentioned two factors that account for the decrease in revenue: (1) the impact of the State budget crisis on SRJC, which has resulted in a reduction to the schedule of classes and, consequently, faculty load; and (2) the replacement of retiring faculty who were placed at the top of the salary schedule with adjunct

and regular faculty who are placed lower on the schedule. Current projections for 2011-12 indicate that AFA's expenses will exceed its revenue by approximately \$40,000. Paula noted that AFA could sustain this negative cash flow for a year or two, due to the balances in savings and other designated reserve accounts, and that AFA's budget would likely continue to reflect this systemic problem as long as the State budget crisis continues. She suggested that, as a way to increase revenue this year, the Council could consider the option of suspending member contributions to the AFA PAC account for the remainder of the year. There is a sufficient amount of funds in the PAC account to cover projected expenses and, if the suspension of future contributions were to end immediately, it would result in an approximate \$7,000 increase in annual revenue. This option would require action by the Council. There may also be a few thousand dollars in potential savings in the category of reassigned time for ongoing negotiations project support if the Council does not appoint someone to that position this year. Noting that AFA staff member Candy Shell developed the supporting documentation, Paula solicited questions from the Council. By unanimous voice vote, the Council approved a motion made by Mary Pierce and seconded by Brenda Flyswithawks to move the immediate suspension of member contributions to the AFA PAC account to action. After taking action (see Action Item #1) and returning to very brief discussion of the budget, by unanimous voice vote, the Council approved a motion made by Brenda Flyswithawks and seconded by Paula Burks to move approval of the proposed AFA Budget for 2011-12 to action.

3. FACCC Contract Membership Election. Warren projected a spreadsheet at the meeting, which he developed to explain how FACCC contract member dues would be calculated and how an increase in the proportional assessment would affect faculty members on each class and step of the annual contract and hourly salary schedules. The figures in the spreadsheet were predicated on a total annual faculty payroll from the 2010-11 academic year (including summer), which was \$44 million—down from \$50 million a few years ago. With 0.17 percent going towards FACCC contract membership, \$44 million in payroll would generate approximately \$75,000 in FACCC dues annually. Another approach would be to use head count figures from Fall 2011. There were 913 adjunct faculty members on the September 2011 payroll. (That number could grow, if faculty members who teach late-start classes are included.) Load reports show that 15.7 percent of adjunct faculty members have under a 10 percent load and 124 adjunct faculty members have between a 10 and 20 percent load, for a total of 267 adjunct faculty members who have less than a 20 percent load. That figure of 267 represents about 30 percent of the total number of adjunct faculty on the September 2011 payroll. Warren pointed out that SRJC is a little different than other community colleges because of its very large Health Sciences and Public Safety departments, in which many faculty members teach small loads. Setting that group aside leaves about 646 adjunct faculty with a 20 percent or higher load: 646 times \$45.00 per person per year equals \$29,000, and 285 regular faculty members at \$162 per person per year equals \$46,000, for a total of approximately \$75,000. Thus, using either a head count basis or a proportional rate of 0.17% would generate approximately the same amount. AFA and FACCC are now looking at using a head count basis for FACCC contract membership dues.

Warren pointed out that, even with the increased assessment, AFA's dues would still be the third lowest out of the nearest 20 community colleges. The dues rate for CFT schools ranges from 1.4 to 1.6 percent. In comparison to CFT rates, AFA's dues rate at 0.74 percent would be half as much.

Warren clarified that the increased dues assessment would apply to all faculty members in the unit. Faculty who meet a certain load threshold would automatically be FACCC members. Faculty members whose loads fall below that threshold, however, would be able to opt in to be a FACCC member. It is difficult to predict how many people with less than a 20 percent load would opt in. For example, there are adjunct faculty members in the Public Safety Department who teach only a couple of hours a year. Warren suggested that the odds are slim that those faculty members would choose to opt in.

Andrea York clarified that FACCC would provide assistance with unemployment insurance or other employment-related issues to the adjunct faculty members who fall into that category, regardless of whether they opt in to FACCC membership or not. Warren pointed out that this method of establishing a threshold for FACCC membership is similar to the method that Foothill De Anza Faculty Association uses, but without the additional modification of an opt-in option. Still to be resolved are the logistics about how AFA and FACCC will decide the costs for the opt-in memberships.

Warren explained the mechanics of the FACCC contract membership election, which will be conducted online and will begin at the start of business on the morning of Monday, November 14th, and will run through 5:00 p.m. Friday, November 18th. Fair Share Service Fee payers will have the option of joining AFA before the deadline if they would like to be eligible to cast a vote. AFA staff will certify the ballots and election results with the assistance of one full-time and one part-time Councilor, and AFA will announce the results prior to the Thanksgiving holiday. All AFA members will receive an email with a unique link to their ballots. All faculty members will receive an email announcement that the ballots have been sent out, with instructions to check their junk mail boxes or call the office if they don't receive a ballot. AFA's next issue of *Update* will include another reminder about the election. Faculty who have questions about FACCC contract membership may access the FAQs on the AFA Website at <http://www.santarosa.edu/afa/FACCCfaqs.htm> .

4. Student Success Task Force (SSTF) Draft Recommendations. Warren reported that, at its recent Plenary Session, the [Academic Senate for California Community Colleges](#) (ASCCC) endorsed CCCI's resolution re: the SSTF recommendations (available on the AFA Website at http://www.santarosa.edu/afa/Misc/10.21.11_SSTF_CCCIresponse.pdf) and also approved specific resolutions tied to each one of the recommendations (available on the AFA Website at http://www.santarosa.edu/afa/Misc/11.05.11_ASCCC_Plenary_TFSS_Resolutions.pdf). Earlier this week, Warren and Academic Senate President Terry Shell met with Associated Students leaders, who also attended their own statewide meeting at which the SSTF recommendations were discussed and are holding a special meeting this week to discuss the development of a plan to address the SSTF recommendations.

Andrea York informed the Council that FACCC's first official response to the SSTF recommendations would be posted on the [FACCC Website](#) soon. (It is now available at http://www.faccc.org/images/FACCC_SSTF_Response_Ltr.pdf). Andrea reported that she is waiting for confirmation from FACCC Secretary and SSTF member Rich Hansen regarding the outcome of today's SSTF meeting and the direction in which SSTF members will be moving as a result of all of the feedback they have received. She said that the SSTF has removed language that recommended flexibility of the categorical program budgets. With assistance from FACCC and other lobbyists, CTE and EOPS faculty groups issued statements to the SSTF regarding their strong opposition to the draft recommendations. Although the official comment period is over, the SSTF is still taking comments. Andrea commented that the SSTF report was not a consensus document. Of the 20 SSTF members, only four were faculty members—none of whom were part-time—and there was only one student.

Andrea said that, if the SSTF backs completely away from its recommendation of categorical program budget flexibility, it would be a testament to the power of advocacy. Many people who worked on the unsuccessful Prop 92 campaign were very discouraged with the outcome. After that election, it was difficult to coalesce faculty statewide to get them to move, and there was a decline in statewide advocacy; however, with the successful campaign against AB 515 last year and the faculty's mobilization against the SSTF recommendations this year, many people are learning that advocacy can make a difference. Andrea also mentioned that CCCI is more organized this year and their increased efforts are having an effect.

Andrea provided the Council with an insider's view into the typical process that the Chancellor's Office, legislators, and lobbying groups engage in when working on issues, and she said that there is a delicate balance between the inclination to "say no and fight" and the tendency to try to cut a deal. She said that the golden rule in lobbying is that "you never

amend a bad bill," and she explained that you have to "kill it and move on." According to Andrea, many people thought that SB 1143 was a bad bill and should be killed. She spoke briefly about the process that led to the approval of SB 1143 and the formation of the SSTF. Along with Bryan Ha, Andrea gave an overview of Chancellor Jack Scott's background, noting that, as a former administrator and legislator, he is well-respected, understands the CCC system from a multi-level viewpoint, and brings a level of visibility to community college issues that was not present before.

Andrea said that when it becomes clear that an issue is going to keep coming back, the best way to deal with it is to be proactive and put another proposal out there in front of it. She noted that the FACCC legislative committee would be meeting on Monday, November 14 to discuss what to do next, and she suggested that what is needed at this point is for the faculty to get proactive and develop their own resolutions or recommendations that address student success, including language about the need to increase the number of full-time faculty hires. In response to a question about whether the SSTF would have to agree to every recommendation in order for any part to go forward, Andrea said that that remains to be seen and that she would learn more after she gets confirmation from Rich Hansen regarding what the task force members are thinking about moving forward.

ACTION ITEMS

1. Suspension of AFA Member Contributions to AFA PAC. (See Discussion Item #2.) It was clarified that, in accordance with state regulations, member contributions to the PAC are calculated and made on a per member (head count) basis. Paula Burks confirmed that the contributions are transferred monthly to the PAC account and that, once the contributions have been made, the funds may not be transferred back to AFA's general fund. Warren reminded the Council that, although AFA had been saving PAC money in anticipation of making contributions to Sharon Hendricks' campaign for the community college seat on the CalSTRS Board and to CCCI's part-time statewide advocate position, AFA was advised by CCCI not to use PAC funds for those two particular expenses. Consequently, there are enough funds in the PAC to cover anticipated expenses for the remainder of this year. Warren pointed out that there is no prohibition against reinstating the monthly member contributions to the PAC in the future. Warren also suggested that, if the membership approves the proposal to increase the maximum dues assessment, the Council could consider increasing the dues assessment up to the maximum of 0.19%, instead of 0.17%, in order to further reduce AFA's budget deficit and extend the amount of time that AFA could weather the State budget crisis. By unanimous voice vote, the Council approved a motion made by Cheryl Dunn and seconded by Dan Munton to suspend AFA member contributions to the AFA PAC, effective immediately.
2. 2011-12 Budget. Following discussion (see Discussion Item #2), by unanimous voice vote, the Council approved a motion made by Brenda Flyswithhawks and seconded by Dan Munton, to approve the AFA Budget for 2011-12 as amended (see Action Item #1).

MAIN REPORTS

1. President's Report. Warren Ruud asked the Council to mark their calendars for a special Executive Council meeting on November 30, 2011. (There will be no regular meeting on November 23, 2011, as it is a Flex placeholder day.)
2. Conciliation/Grievance Report. This report and subsequent discussion were conducted in closed session.
3. Negotiations Report. This report and subsequent discussion were conducted in closed session.

The meeting was adjourned at 5:30 p.m.

Minutes submitted by Judith Bernstein.