

EXECUTIVE COUNCIL MEETING MINUTES

January 16, 2013

(Approved by the Executive Council on January 30, 2013)

Executive Councilors present (noted by *):

*Julie Thompson, <i>presiding</i>	*Ted Crowell	*Andre LaRue	*Margaret Pennington
*Paulette Bell	*Terry Ehret	*Sean Martin	*Audrey Spall
*Lara Branen-Ahumada	*Deirdre Frontczak	*Bud Metzger	*Mike Starkey
*Shawn Brumbaugh	*Brenda Flyswithhawks	*Terry Mulcaire	*Phyllis Usina
*Paula Burks	*Sharien Hinton	*Nikona Mulkovich	

Officers/Negotiators present: Lynn Harenberg-Miller, Jacqueline McGhee, Warren Ruud, Jack Wegman

Guests present: I.T. Director Scott Conrad

Faculty members present: Karen Stanley

Staff members present: Judith Bernstein, Candy Shell

The meeting was called to order at 3:12 p.m. in Doyle Library, Room #4246, on the Santa Rosa campus.

MEMBER CONCERNS RE: CONTRACTUAL ISSUES

By way of introduction, Julie clarified the reasoning behind the recent change in the wording of this item on the agenda (which involved adding the phrase "re: Contractual Issues"). The intention behind limiting concerns to those that fall within AFA's purview is to help keep the meeting on track given the amount of business that needs to be addressed and the limited time constraints.

1. **Safety in the Classroom.** Bud Metzger raised a concern about safety and security in the classroom, noting that he recently reviewed with his students the section in his syllabus on safety, which included instructions such as where to congregate and why, and how to leave the building. He also asked two students to enter into their cell phones the telephone number of the police department. He said that he chose those two students specifically because they sit in the farthest corners away from the sole entrance into the classroom. Most importantly, Bud said he was struck by the fact that he could not secure the room. He suggested that, since the District is not able to lock classroom doors electronically, they fix it so that instructors can lock the doors themselves. It was pointed out that there is no secure classroom on either campus and that this issue has been raised before.
2. **Restriction of Member Concerns to Contractual Issues.** As a follow-up to a concern raised at the December 12, 2012 Council meeting, Terry Ehret requested an opportunity to talk about how to bring up a concern that is relevant to this body but not, strictly speaking, a member concern (i.e., it doesn't pertain to the Contract). Julie suggested that this topic could be added to the list of agenda items for the Council's Spring 2013 retreat and said that she would be happy to facilitate that discussion. She noted that using email to communicate concerns is always an option. (Note: To send an email to all Councilors, Officers, and Negotiators, click on the "Easy Link" that appears as the first item in the Hot Topics box on the left-hand side of this webpage: <http://www.santarosa.edu/afa/council.shtml> .) Lara Branen-Ahumada asked when it would be appropriate to bring up a concern related to AFA

that's not contractual, and she pointed out that, if it's not brought up in member concerns, then it does not appear in the minutes and, therefore, won't be on the record. She brought up the composition of the Council as an example of a topic that is not covered in the Contract that people have been interested in discussing. Julie said that any topic related to the Contract and/or AFA's Constitution, Bylaws, and Policies would be appropriate to discuss at a meeting. These organizational documents define AFA's purview. Julie also suggested that any faculty member could talk to her or any member of the Cabinet about getting topics onto the agenda, as she is concerned about how the Council uses its limited time during meetings.

MINUTES

There being no corrections or additions, by unanimous voice vote, the Council approved a motion made by Paula Burks and seconded by Nikona Mulkovich to approve the minutes from the December 12, 2012 Executive Council meeting as submitted (17 in favor, 0 opposed, 0 abstentions). (Approved minutes are posted at <http://www.santarosa.edu/afa/minutes.shtml> .)

DISCUSSION ITEMS

1. Proposed Revisions to District's Technology Use Policy and Procedures. I.T. Director Scott Conrad expressed his appreciation to the Council for the opportunity to meet and discuss the proposed revision of *Policy 2.13* and *Procedures 2.13P: Computer and Communications Technology Use* (formerly numbered 6.9 and 6.9P). An electronic copy of the November 16, 2012 version of the policy and procedures was distributed to the Council prior to the meeting, and it was also projected onscreen. Scott noted that the District's technology use policy was broken up originally into academic (instructional) and business (administrative) sections and that now these two sections have been merged. He said he looked at other colleges' policies and tried to find the best examples. Scott wrote the policy and the procedures as one document for all groups, and he said that faculty, staff, and students are all bound by the same rules. The intent of the revision was not to change what the District has been doing, but to make the documents easier to read and understand. Scott noted that Academic Affairs Vice President Mary Kay Rudolph asked an English instructor, Melissa Kort, to review the drafts to make sure the language use is consistent with other District policies. He pointed out that this set of policy and procedures used to be housed under the Facilities Planning section of the Policy Manual, but it will be moved to an administrative section (District Governance), which he thought would make it easier to find. The key changes to the procedures are that they have been moved to an administrative section; they combine students, staff, and faculty under one document; there is a new section about termination of email accounts when an individual leaves the College; and, at the end, there is a summary of applicable laws and regulations.

Scott explained some of the issues surrounding the maintenance of email accounts, noting that adjunct faculty currently may keep their email accounts active for four years. He said that the reason he is arguing for limiting that period to a shorter amount of time is that it costs the District \$5-6 per account per month to archive and maintain each account. He said that it is possible to enter a personal email address into the District Human Resources' system and that the District may reach individuals who are no longer active employees that way. The reduction in the limit for adjunct faculty email accounts is the only change Scott is recommending. If a faculty member retires, the District will keep that email account open for up to one year, but the retiree must make a request to opt in. If employees leave by their own choice, they may keep their accounts for a year, but they also must make a request. If an employee is fired, s/he will lose that email account immediately. There are other policies and state and federal laws that come into play. For example, if an instructor takes a photograph of a student in a classroom setting, it is illegal to post it on Facebook without having a signed release from the student. If a faculty member wants to have a Facebook page for his or her class, s/he has to set it up through a personal webpage. Between the faculty member's homepage on the District's site and the faculty member's Facebook page, there will be a "jump" page, which displays a message that one is leaving the District's website and going to another site. The faculty member is personally responsible for the content on that Facebook page—not the District. Scott said that District email accounts and

webpages are actively monitored for inappropriate content and copyright infractions. If he receives an email saying that it has been detected that a copyrighted movie has been downloaded illegally through a District email account, he is obligated to follow up. Scott said he also restricts the size of downloads. He reiterated that movies, music, and images are subject to copyright laws, and he encouraged Councilors to warn students about illegal downloading. After his introduction, Scott opened the floor to comments, and a question-and-answer session followed.

- In terms of our privacy and the District monitoring our SRJC accounts, where in the procedures does it talk about authorization to search our accounts or computers?

SC: That's addressed in the section on "Inappropriate Use" on pages 5 and 6, and there's also a little more on pages 6 and 7. If it's brought to my attention and I get notified that I have to look at an IP address, I would call you. For example, did you do a large download? I would ask you to check your hard drive, and I would ask you to give us permission to have our techs check your account. I.T. has the legal right on behalf of the College to do the search. The President/Superintendent or appropriate VP would need to authorize any search.

- Too many people on the administrative side have access to birth dates. People who don't need that information should not have access to it.

SC: Deans have access to birth dates because they need to be aware of age-related discrimination. Otherwise, that's a question to ask HR. "Escape" is the name of the system the District uses, and HR dictates who has access. Most people don't. The President has access, VPs have access to people under them, and deans have access to people under them. Deans don't have access to people in other departments/clusters.

- Three points: (1) What if someone inadvertently did something to the network with a virus? That would leave them subject to disciplinary action. Someone could get into trouble even if they didn't intend to do it. (2) In the section on email, the word "privilege" should be taken out. (3) Email is tied to other things. What happens if your accounts are terminated and you aren't able to get your files that you need to archive?

SC: Let's say you were terminated. We freeze your account. You can request access to all your archived material. We give you time, and you take whatever you want down. If you develop course materials on District computers while you were paid to teach at the College, the District owns those materials. If you develop them on your own personal computer, you own the materials. If you leave the District, we give you access. The District will terminate your pay stubs access, but you can petition HR to get access. There is a single sign-up, and you have to change your password every six months. When you leave the District, I have to change the access, I can't let you have that level of access anymore once you are no longer an employee. I'm bound to protect existing employees.

- There's a word problem in the last sentence at the bottom of page 3: "Email messages express the views of the individual author and may not reflect the views or opinions of the District as a whole." The word "may" should be changed to "might" or "do."

SC: I'm an engineer by training—my grammar is iffy. The point is that, as individuals, we don't speak for the District. Send me the wording. It's important for all parties to be in common agreement about this.

- In terms of ownership and copyright, does this policy cover the use of the portal, the CATE server, and the UNIX server? If so, you might want to mention that. Also, I'm still getting email from the old Floyd system.

SC: Yes, this policy covers all Tech use.

- Related to the entities that are coming to you and saying you violated their copyright, is there any official awareness of "fair use" policy?

SC: The ones I get calls on are games and movies—and music, too, but mostly movies and computer games. These are very large files, and spyware goes looking for it. I don't monitor if you or your students are pulling pictures off the web. Be aware that non-profit teaching of classes is covered under "fair use"; but, if you sell a seminar to Medtronic, for example, that's not covered under "fair use."

- Academic Affairs sent out a set of really good guidelines on copyright compliance. Those guidelines should be linked more prominently somewhere.
- Sean Martin expressed his gratitude to Scott for his responsiveness and the thoughtfulness in Scott's responses to the comments that Sean sent him. Sean invited any Councilor who is interested to work together with him to address those areas of concern and help to get the language cleaned up.

SC: Once the Board of Trustees passes the policy, it's what we have. My intent is to get everyone in agreement.

- Related to the portal, is it the case that faculty will need an I.D. number instead of a Social Security number?

SC: The employee I.D. is the same as the student I.D. It's on your paystub. Call HR if don't know it, or you could call the Help Desk. There's something called "credit card compliance" and, where we process credit cards, we have to keep compliant. If someone hacks your credit card, you don't have to pay for those charges. We're financially responsible for each person up to a certain amount. As of February 1, 2013, it won't work to use your Social Security number to access your portal. With identity theft, you don't want to use your SSN—even your last four digits. If I know where you were born, I can figure out the rest from those last four digits. The more often you change your password, the better. It's the single best thing you can do. We only require that you change your password every six months, but the standard, which is every three months, is better. Use a strong password. Any legitimate site would never ask you to type in your password. If you get any scams, forward them to the Help Desk, so I can block them. We've had a pretty high rash of scams.

- While I was using Outlook Web Access and trying to open up a recent email attachment of the list of department chairs, it blocked it.

SC: For large files, we'd rather people put them in File Depot, because there's a virus checker there. Where people hide viruses is in large files. If you're coming in from the outside and it's a big attachment, we block it to protect the network. Outlook Web Access for opening large files doesn't always work. Citrix works really well.

- Could you give us a quick update on Gmail?

SC: Gmail would give you 25 GB of storage. There have been staffing issues in the last two years that have prevented any progress on this. Meanwhile, MS Outlook 365 has come out. The Outlook calendar has features that Gmail doesn't have. From the District point of view, if MS Outlook 365 works, it would be an easier migration. We're hoping to make the change by the end of spring.

- Is there a forum option?

SC: Yes, Microsoft bought Skype, and they offer conferencing. MS Outlook and Skype don't integrate well, though, and they require all these different features. Google does a much better job of integrating features. I'm not going to make those who have the pilot Gmail account come back. I would like to open it up more, but I can't because of staff limitations.

- If you get verbal permission to use student pictures, is that okay?

SC: Here's where it gets gray. Media Services has a form that you can use. If it's a picture taken at a public space, you can use it. If it's taken inside a classroom, then you get in trouble. If it's only posted inside your class (not on Facebook), it's probably okay. It's not good if it's accessible from outside. If it's posted in CATE, where you have to

log in, then it's probably okay. Marshall McGowan and Jeff Basham will be presenting a PDA session on Outlook tips and tricks. I don't know if it's going to be recorded.

SC: Also, if your phone is not working or your access is not working, call the Help Desk. The Help Desk is staffed to triage. Caller I.D. is now working on phones. Fax machines are analog, and we don't know where they all are located on campus, so Caller I.D. is not yet working for all fax machines.

- If anyone has an additional thought, do you have a deadline?

SC: I'm working my way through all the shared governance groups and hoping to be done by the end of February. I can send the policy out to AFA for review then, and then it will go to College Council one more time before it goes to the Board. There's no rush on this—the goal is to finish by the end of this semester. It's more important for as many people as possible to review it. Send any comments to sconrad@santarosa.edu.

- For instructors who are retiring, they get to keep their email accounts for up to a year, but only if they opt in?

SC: Yes, let HR and your dean know. We reset the end date. If you ever need to retrieve something, you can still get it. You could also set up a Bear Cub account. Check with Robert Ethington to set one up. It's a 25 GB account, but I don't back up the student accounts like I do the faculty and staff accounts. If a student ever sues you, I've got faculty email accounts all backed up and archived. I have stored electronic copies of everything. I can restore email for any particular date. Also, when we move to Cloud-based email, there will be much better ways to archive, and it will be much easier to restore. If your emails are on your personal account, I can't help you.

- Sometimes when I'm typing an email, I delete something I've written. Is there a record of what I've deleted?

SC: No, there isn't.

Scott concluded his presentation with a brief description of how spammers operate, noting that it is typical for the District's system to be attacked two to three times every week. He said, for example, that on New Year's Eve, the system was hit with 150,000 spam emails in one hour, and another time it was hit with 60,000 emails in ten minutes! His advice to faculty members is to use their SRJC accounts only for SRJC business, and he gave examples as to how one can set up numerous personal email accounts for different purposes. He pointed out that one can manage spam in Outlook by one selecting "block sender" with a right click of the mouse. Finally, he requested that faculty forward any phishing schemes they receive to the Help Desk. The Council expressed its appreciation to Scott with a round of applause.

MAIN REPORTS

1. President's Report. Julie reported briefly on the following items:
 - Spring 2013 Council Elections. AFA's spring election cycle will begin shortly and details will be announced in an upcoming publication. Immediately following the election of Councilors, the current Council will elect officers and negotiators for the 2013-14 year.
 - Gratitude. Julie expressed her appreciation to Will Baty and Warren Ruud for the presentations they made at the December Council meeting and to Mike Starkey and the Article 16 Committee for getting all their work done last semester.
 - Meeting Refreshments. Julie asked for one or two volunteers to help staff with post-meeting clean-up.
2. Treasurer's Report: November 2012. Secretary/Treasurer Paula Burks reported that there was nothing out of the ordinary in the November 2012 Treasurer's Report, but there is one item on which the Council needs to take action right away. She explained that, at the time that the Council authorized a \$7,000 contribution to the cost of CCCI's 2012-13 contract with CCCI Advocate David Balla-Hawkins, it was not clear whether his activities would be

considered chargeable or non-chargeable (i.e., political in nature) for the purpose of the annual audit and reports. (See the audit reports and Fair Share Service Fee notice for the 2011-12 year at <http://www.santarosa.edu/afa/audits.shtml>). A number of CCCI-member organizations have engaged in discussion and research regarding this issue. Based on legal advice, the determination was that the (non-partisan) work Mr. Balla-Hawkins performs in Sacramento on behalf of CCCI is considered chargeable; however, the training on advocacy that he presents each year for each member organization is considered non-chargeable. The result of this determination is that \$5,500 of AFA's \$7,000 contribution may be paid out of the organization's general operating account, but the remaining \$1,500 would need to be paid out of AFA's PAC account. Paula reminded the Council that it would need to authorize and direct the PAC to issue the \$1,500 payment to CCCI, and she requested that the Council take action at this meeting. By unanimous voice vote, the Council approved a motion made by Brenda Flyswithhaws and seconded by Lara Branen-Ahumada to move this item to action (18 in favor, 0 opposed, 0 abstentions).

3. Conciliation/Grievance Report. This report and discussion were conducted in closed session.
4. Negotiations Report. This report and discussion were conducted in closed session.

ACTION ITEMS

1. AFA PAC Expense 2012-13: CCCI Advocate Training. (See Treasurer's Report.) Paula Burks confirmed that AFA has received and shared relevant legal information about the categorization of this expenditure with AFA's accountant/auditor. Julie further explained that the figure of \$1,500 is based on David Balla-Hawkins' charge for additional training sessions beyond the one per year per CCCI-member school, which is included in the \$7,000. If Mr. Balla-Hawkins were to appear before the Council to present a report on his activities, that presentation would be considered a chargeable activity. By unanimous voice vote, the Council approved a motion made by Nikona Mulkovich and seconded by Bud Metzger to direct the AFA PAC to issue payment of \$1,500 to CCCI for the non-chargeable portion of CCCI Advocate's David Balla-Hawkins 2012-13 Contract related to education and training (18 in favor, 0 opposed, 0 abstentions). The remaining \$5,500 will be issued from AFA's general operating account.

The meeting was adjourned at 5:22 p.m.

Minutes submitted by Judith Bernstein.