

## **EXECUTIVE COUNCIL MEETING MINUTES**

November 14, 2012

*(Approved by the Executive Council on November 28, 2012)*

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: Will Baty, Lynn Harenberg-Miller, Jacqueline McGhee, Warren Ruud, Jack Wegman

Faculty members present: René Lo Pilato

Staff members present: Judith Bernstein, Candy Shell

The meeting was called to order at 3:07 p.m. in Doyle Library, Room #4245, on the Santa Rosa campus.

### **MEMBER CONCERNS**

None

### **MINUTES**

There being no corrections or additions, by unanimous voice vote, the Council approved a motion made by Paula Burks and seconded by Margaret Pennington to approve the minutes from the October 24, 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 Revision to Reassigned Time Budget for 2012-13. Prior to the meeting, Councilors received a copy of the Cabinet's recommendation to revise the reassigned time for the AFA President. Julie noted that the president's percentage of reassigned time has varied over the years, and it has often included separate amounts for various special projects. Currently, the president receives 60 percent for that position, plus 10 percent for being a member of the negotiations team (by position) and 10 percent for mentoring the incoming Conciliation/Grievance Officer and Publications Coordinator for the first semester of their initial terms in those positions. (Prior to being elected president, Julie served in each of those two positions.) She commented that the president's job takes much more time than currently allocated. The Cabinet is recommending that the base amount of reassigned time for the president, not including the 10 percent for serving as a member of the negotiations team, be increased from 60 percent to 70 percent.

The Council engaged in a brief discussion that focused on the following: (1) the amount of reassigned time that the Academic Senate president receives (historically, it has ranged between 40 percent and the current 80 percent); (2) the amount of reassigned time that the District provides to AFA (1.2 FTE, or 120 percent); (3) the number of hours that, historically,

the president has worked above and beyond the amount allocated for the position (typically, about 65 hours more than the approximately 400 hours allocated per semester); and (4) how much work is involved in the position. By unanimous voice vote, the Council approved a motion made by Brenda Flyswithhawks and seconded by Nikona Mulkovich to move this item to action (17 in favor, 0 opposed, 0 abstentions).

2. Adjunct Issues Committee: List of Concerns. Adjunct Cabinet Representative and Negotiator Lynn Harenberg-Miller reviewed a list of prioritized concerns that members of the Adjunct Issues Committee (AIC) drafted during a meeting held in mid-October. Lynn noted that, at the time of that meeting, the AIC didn't know what the outcome of the election would be with regard to Prop. 30. The list included concerns regarding the 20 percent limit on contract faculty overload, like load protections for adjunct faculty, preserving medical benefits for adjunct faculty at risk of losing coverage, pay parity for adjunct faculty, special expertise requirements, preserving email accounts for adjunct faculty without an assignment, and inclusion and professionalization of adjunct faculty.

Following Lynn's presentation, the Council engaged in a lengthy discussion, and comments included the following:

- Load lookup and the reasoning behind the request to restore it: In some departments, faculty members who have lower seniority may have gotten a load at the expense of someone with higher seniority who may not have gotten a load. By the time the faculty member with higher seniority notices the problem, the semester is underway. It would help to avoid grievances if all faculty members could see the department's schedule of assignments and these problems were caught earlier in the scheduling process.
- Implementation of Student Success Task Force Recommendations: In a typical community college, two thirds to three quarters of the faculty are part-timers. Unless the District integrates part-time faculty into the process of implementing the SSTF recommendations across the entire College, a large portion of the faculty will be left out of the process.
- How does AFA move forward? What might be a next step? Many of these items would have to be negotiated in order to come to fruition. Possible actions could include: identifying issues upon which the Council agrees that AFA should take a stand; drafting a resolution of support; and forming a task force to research issues like SDI and Social Security.
- Pay Parity: Even though there isn't enough money to pay for it now, AFA could take a stand on recommitting to the principle of pay parity.
- Prioritizing the list: There are different ways of structuring this list (for example, which ones are going to cost the District a lot of money or which ones are the most urgent). As an organization, AFA might be in support of an item, but there may not be any money in the budget to pay for it, and the District might not agree to it in negotiations. Once the will of the Council is known, the Council could provide direction to the negotiations team to advocate for the AFA membership.
- Timeline for terminating Outlook email accounts: There is a very clear timeline established in Article 16 by which assignments are made. Adjunct faculty members don't lose assignment priority until the end of their third semester without an assignment. The District communicates offers and confirmations of assignments through Outlook. For these reasons, adjunct faculty members need to have access to their Outlook accounts for three semesters after their last assignment.
- Adjunct Medical Benefits Program (AMBP): This program doesn't cost the District a lot of money. Since the time that funding from the state was drastically reduced, it's been paid for through a two percent reduction in the hourly salary schedules. The state program requires a 40 percent average load at any community college. It's possible that the carrier would not allow participants to have less than a 40 percent load. AFA had looked into separating from the state program, but the alternatives were never very attractive. Over the years, state funding for the program has deteriorated until it was hit with a 62 percent reduction. Now, the reimbursement rate is around five cents on the dollar, and that is how

much more it would cost to get off of the state program and cover the existing participants. If the Council is interested in finding out what it would cost to bring back the people who have been removed from the program due to insufficient load, AFA could request those figures from the Human Resources Department. Also, people who may have been teaching 40 percent but aren't anymore are still paying 2 percent of their salaries, even though they don't qualify for the program and don't use it. The Council should set up a task force to research other community colleges across the state to see how they handle adjunct faculty benefits. There are adjunct faculty members who weren't around when the voting for hourly faculty to pay 2 percent of their salaries for the AMBP occurred. Everyone who voted then understood the parameters. Things have changed since then—the economy has gotten much worse.

- Twenty percent cap on overload: Assignments for spring have already been made, and Contract language is in place right now that says that assignments made during this academic year (for the Spring 2013 and Fall 2013 schedules) still fall under the 20-percent-overload cap. This issue isn't urgent and doesn't have to be dealt with immediately.
  - Protecting like load for those who voluntarily relinquish an assignment: A department may not implement this provision on its own in the absence of contractual protections. The Council could direct the negotiations team to try to bring this provision back, but the District would push back because they thought it was too unwieldy to track. Those faculty members who were responsible for doing the scheduling in departments with large numbers of adjunct faculty agreed that the relinquishment was very difficult to track due to last-minute staffing changes. It ended up presenting a de facto workload issue for the contract faculty who were responsible for creating the schedule. Even though there was a protocol in place, and there was a paper trail for the person giving up the class, every time a department would add one more special fix, there would be an increased opportunity for error and liability for a grievance. Also, a person might give up a class, but it wouldn't necessarily go to the person s/he felt needed it the most, in terms of economics. It's important that AFA allow adequate time to see what effect Prop. 30 will have on the schedule, before committing to work on this issue.
  - Transparency, Article 16, and Load LOOKUP: There may be no need to wed the transparency issue with the restoration of Load LOOKUP. It might be best to deal with transparency through Article 16. On the other hand, granting access to Load LOOKUP is one way to prevent grievances. Load is public information, faculty used to have access to that information, and that access was eliminated without explanation. There may be a simple way to fix SIS that takes care of the concerns about revealing people's private information.
  - Inclusion of Adjunct Faculty: Part of the reason behind the list of concerns is that there are inequities. The adjunct faculty often falls through the cracks. If adjunct and contract faculty are "in this boat together," we need to start having a longer conversation about inclusion. Thirteen adjunct faculty members said they wanted to participate in the Strategic Planning Task Force. Just as there is a lot of participation by adjunct faculty on AFA committees, District committees need to include greater adjunct participation.
3. Proposed Revision of Bylaws: Article II: Executive Council and Article III: Officers and Appointed Positions. In the interest of allowing sufficient time for the more pressing items on the agenda that will require extensive discussion, Julie suggested that this item be tabled, unless there is time at the end of the meeting. She commented that a number of sticking points have been identified that need to be resolved prior to completing a draft of the proposed language. Since the revisions will impact the entire Council as well as adjunct Councilors, negotiators, and others in appointed positions, Julie recommended that a coalition of adjunct and contract faculty be formed to hammer out the language. She asked that any Councilor or negotiator who is interested in being a part of that coalition send an email to her or to AFA staff.
  4. Prop. 30: Impact on SRJC. In the week since Prop. 30 passed, Julie said that AFA has been tuned in to the administration to see how they're going to move forward and whether the

passage of Prop 30 will result in the District getting money from the State for this academic year. Given that the District still has a \$6 million structural deficit, will the District apply any of this good news to the Spring 2013 schedule? In a presentation during a budget study session held during the November 13<sup>th</sup> Board of Trustees meeting, Vice President of Business Services Doug Roberts indicated that SRJC will get none of the \$50 million in Prop. 30 funds that will be coming to community colleges this year. The schools that have deeper budgetary problems will receive money. The District planned the Spring 2013 schedule assuming that Prop. 30 would *not* pass. Although the District says it does not have any plans to increase the Spring 2013 schedule, there are plans to add \$1.8 million to the 2013-14 schedule. Yet, as Julie pointed out, the voters of Sonoma County approved Prop. 30 by 65.5 percent, which is an overwhelming vote in support of paying taxes to support education. Julie said that she read in the *L.A. Times* and other publications that some colleges are adding classes to their spring schedules. She asked the Council to provide her with some direction so that when she talks to Dr. Chong about AFA's concerns, she represents the position of the Council accurately.

The Council engaged in a very lengthy discussion, which included the following comments:

- The CSU and UC systems said they are going to raise fees. Governor Brown has asked both systems not to do that because of public relations. Can you trust Sacramento? Brown is on "our" side for now. It would be good for schools in this county to add a few classes.
- Any message about the impact of Prop 30 could now be tied in with the implementation of the Student Success recommendations, even though the recommendations are not going into effect for a while. SRJC is going to start addressing some of the SSTF recommendations, and a case could be made for adding more Basic Skills classes.
- Even though there is a lot of uncertainty and there is still a deficit with the budget, I'd like to see the District add more classes for Spring 2013 and Fall 2013.
- The District just announced that it is postponing for one more week the deadline for departments to submit their summer schedules.
- If the District was conservative in planning for Spring 2013 by assuming that Prop. 30 wouldn't pass, shouldn't there be a change now that Prop. 30 *has* passed? There's an implied consequence.
- The ending fund balance for 2011-12 was larger than the District anticipated, and they applied that extra money to this year's schedule. Instead of pulling 7.3 percent off the schedule, they pulled only 4 percent off the schedule and paid for the difference with the extra ending fund balance money (one-time money of approximately \$300 million). The District was convinced that Prop. 30 wouldn't pass.
- The taxes won't be assessed until April, and that's when the money will show up—in time for the 2013-14 schedule. AFA can share that information with the community.
- How does the proportional state funding that is based on the number of FTES tie into the amount that districts will receive as a result of the passage of Prop. 30? Those two figures are different. The Chancellor's Office determines the workload figure. The District's funding is determined by that workload number. If the enrollment goes above that benchmark, the District is educating those additional students for free, and the District wants to avoid that. The College is interested in hitting that number as closely as possible, without going under it. If the District misses those benchmarks, it can get a suspension for a year. There are complicated ways to make sure that colleges don't get hurt by a one-year drop-off in enrollment. The other figure is related to the passage of Prop. 30 and the funds that are being made available for this year. The total amount of funds is roughly \$200 million, most of which will go toward deferral payments and \$50 million of which will go towards restoration of classes, but not all districts are going to share in that money equally. SRJC's anticipated share is \$0. The \$50 million got carved up pretty quickly. There are certain provisions for rural schools. The Los Angeles Community College District will receive a lot.
- Another complication is that, last year around this time, chairs were told to plan their departments' schedules on a yearly basis. Some departments chose to cut summer

classes and bank that amount for the following spring. Others chose to keep their summer schedules as is. Any change the District makes to the spring schedule will hit departments differently. It's important to keep in mind that any changes to the schedule will affect adjunct faculty in different ways depending upon how their department chose to manage the cuts to their schedules.

- There are two audiences for any message from Dr. Chong—one audience is inside the College community and more likely understands the nuances of budget issues. Then there's the rest of the community outside the College. The faculty was asked to mobilize our networks, and many took that call seriously. After the election, there was an article in the paper that said that Cal State students are getting a refund. People are wondering how the passage of Prop. 30 is impacting SRJC students. K-12 schools in Los Angeles are reportedly restoring furlough days. What can SRJC faculty say to tell people that they did great by voting for Prop. 30 and point out what that vote accomplished for the SRJC community?
- The College was successful in mobilizing lots of people. If the College wants to continue that success with a parcel tax, we need to keep the community's goodwill. We need to figure out a way to express to the community that they did a good thing by voting for Prop. 30.
- The College can say that we are not making cuts, we are not having to drastically affect our students this semester, and we are looking forward to a better Fall 2013 semester. The community's support for Prop. 30 means that the College didn't have to make cuts, and look what we hope to accomplish in the future. I don't think the District has to say that they're adding classes. I'd like to be able to say, for other faculty members, that the College is adding classes; but part of what we said to people during phone banking was that the College was going to cut the schedule, and now they don't have to.
- It's important for the community to know that we, as the College, came out together in unity—faculty, management, classified students, and the Board.
- Should AFA advocate for something for the spring? We understand that there are budgetary constraints, and sometimes we ask for things at the negotiating table knowing that the District is likely to be opposed. Sometimes we fight because it's the right thing to do.
- It's not AFA's job to say there's no money. That's the District's job. The least AFA can do is to bring the issue to the table. AFA has an interest. The District needs to at least think about it.
- The schedule of classes is outside of AFA's purview. The District has the complete right to create the schedule and decide how many classes they want to offer.
- This issue has to do with the College's goodwill in the community, and it's especially connected to the idea of going out for a parcel tax in June. It would be shortsighted of the College not to add something to the schedule, especially when people know that other districts are doing just that. We can't assume that level of understanding on the part of the electorate.
- I would love to see some message go out to the community. AFA can ask whatever we want to, but it (the schedule) is not our purview. Whatever message goes out should address the goodwill of the community. Caution is always better, and it would be better if the District issued a message when they had a good plan and were able to say, "This is the plan."
- We can't look at other institutions. Just because they do something doesn't mean we have to. We don't know what their budget was like, and it's not a fair comparison unless we have all the information.
- Doug Roberts will be presenting a budget workshop after Thanksgiving. It would be a good idea if faculty sent him questions and cc'd Susan St. Clair.
- AFA can't speak for the District, but AFA can try to influence what the District's message will be. The District can't over-promise, because there's no new money. If one is thinking

long-term (i.e., about the parcel tax), one shouldn't come out and make promises. It would be tilting at windmills for the District to say they're going to add more classes. AFA should encourage Dr. Chong to do some kind of outreach to the community.

- Dr. Chong has said that SRJC will be restoring classes for the upcoming summer and fall, but not for spring.

At the end of the discussion, Julie thanked the Council for their feedback.

#### **ACTION ITEMS**

1. Proposed Revision to Reassigned Time Budget for 2012-13. (See Discussion Item #1.) By unanimous voice vote, the Council approved a motion made by Brenda Flyswithawks and seconded by Nikona Mulkovich to increase the reassigned time for the AFA President from 60 to 70 percent as per the Cabinet's recommendation, effective with the Spring 2013 semester (17 in favor, 0 opposed, 0 abstentions).

#### **MAIN REPORTS**

1. President's Report. Julie reminded Councilors that the deadline to respond to the survey/call for participation in the Strategic Planning Task Force was Friday, November 9; however, anyone who previously did not respond to the survey but is still interested may send an email to Jane Saldaña-Talley. Julie encouraged Councilors to participate and commented that this would be an excellent way for adjunct faculty to be involved in shaping the direction in which this College moves. She noted that 53 faculty members, including 40 regular faculty members and 13 part-time faculty members, responded to the survey and said they wanted to participate.
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 5:15 p.m.

Minutes submitted by Judith Bernstein.