

## EXECUTIVE COUNCIL MEETING MINUTES

April 22, 2015

(Approved by Executive Council on May 13, 2015)

Executive Councilors present (noted by \*):

*Julie Thompson, <i>presiding</i>	*Paula Burks	*Sean Martin	*Matt Murray
*Filomena Avila	*Terry Ehret	*Molly Matheson	*MJ Papa
*Paulette Bell	*Karen Frindell Teuscher	*Jacqueline McGhee	*Margaret Pennington
*Denise Beeson	*Deirdre Frontczak	*Bud Metzger	*Michelle Van Aalst
*Shawn Brumbaugh	*Michelle Hughes Markovics	*Terry Mulcaire	

Officers/Negotiators/Appointed Positions present: ~~Fed Crowell~~, Mark Ferguson, Warren Ruud

Staff members present: Candy Shell, Carol Valencia

Faculty members present: Albert Yu

The meeting was called to order at 3:03 p.m. in Doyle Library, Room #4245, on the Santa Rosa campus.

### CLOSED SESSION REPORTS

1. **Negotiations Report.** This report and discussion were conducted in Closed Session.
2. **Conciliation/Grievance Report.** This report and discussion were conducted in Closed Session.

Closed Session adjourned at 4:04 p.m.

Closed Session reconvened at 4:35 p.m.

Closed Session adjourned at 5:02 p.m.

### OPEN SESSION

Open Session reconvened at 4:05 p.m.

### MEMBER CONCERNS WITHIN AFA'S PURVIEW

No member concerns.

### MINUTES

There being no corrections or additions, by unanimous voice vote, the Council approved a motion made and seconded to approve the minutes from the April 8, 2015 Executive Council meeting as submitted (17 in favor, 0 opposed, 1 abstention).

(Approved minutes are posted at <http://santarosa.edu/afa/minutes.shtml> .)

### PRESENTATION

**District Policy & Procedure 2.15**, *Patie Wegman, Dean of Student Conduct and Disabled Students Programs & Services*

- The Council has a copy of the latest draft Policy & Procedure 2.15: Prevention of and Response to Sexual Assault, Sexual Harassment, Domestic Violence, Dating Violence and Stalking.

- **Policy 2.15:**
  - Patie explained that this is a new policy. The Policy title is long because each component is so important. State and Federal laws require colleges to address these issues in policy, outlining the college's response to incidents.
  - After the introductory section of the Policy are "Definitions." Most of the definitions come from Ed Code and some are lengthy. "Affirmative Consent" is only in California (found in Ed Code)—it covers both student-student and student-staff interactions. The Consensual Relations section is a restatement from another policy.
  - The trainings referred to in Section E would include both staff and students.
  - The Free Speech and Academic Freedom section is consistent with other contract/policy language.
- **Procedure 2.15:**
  - Regarding the Reporting section, anyone in the "District community" can report. The District plans to offer and make available training for everyone but only "managers/supervisors" would be required to attend.
  - Title 9 says a "responsible party" is anyone whom a student perceives to be in authority (including faculty members). Faculty members are required to report in this capacity. In conversations with students, faculty members can let students know that they are entering an area where faculty must make a report and, if the student wants to keep the conversation confidential, the student must go to a designated "confidential source" (such as Student Health Services).
  - Under the Procedure, if a Title 9 investigation is launched, a recommendation is made on the findings, and then contract/policy dictates adjudication and/or sanctions.
  - If a campus police report is made on an incident, it will automatically go to the Title 9 office, but the reverse is not true.
  - The College's "jurisdiction" in these matters is blown wide open—no longer is the jurisdiction only for our campuses. This comes about because these are now considered civil rights issues.
- **Questions & Answers:**
  - Q: I'm concerned about faculty liability for things that might be said in class.
    - A: My advice is that when you are in doubt, always take it forward (to the Title 9 office).
  - Q: What about keeping a record of any reports made by faculty.
    - A: Yes, I would recommend that. Use email to make the report, or write a follow-up email after a phone call report.
  - Q: Might mandatory faculty trainings be appropriate? I'm worried about student "confidentiality" versus protecting faculty members from unfounded accusations.
    - A: I would like to explore having faculty trainings, but we would have to compensate adjunct faculty members, and this policy has to be in place by July.
- Julie asked the Council to please send Patie any additional comments today.

### **DISCUSSION ITEMS**

#### **1. Councilor Requirement to Vacate Seat Due to Absences**

Julie explained that Jacqueline McGhee has missed three Executive Council meetings this semester, and our Bylaws require her seat to be vacated unless the Council votes to allow her to retain it. There being no discussion, a motion was made, seconded and approved by unanimous voice vote to move this to an Action Item (17 in favor, 0 opposed, 1 abstention). (See Section 6 of [AFA Bylaws](#).)

### **ACTION ITEMS**

#### **1. Councilor Requirement to Vacate Seat Due to Absences**

This item was moved from a Discussion Item. There being no discussion, a motion was made, seconded, and approved by unanimous voice vote to allow Jacqueline McGhee to retain her council seat (18 in favor, 0 opposed, 0 abstentions).

### OTHER REPORTS

1. **President's Report.** Julie reported briefly on the following item:
  - AFA sponsored a legislative forum with Sen. Mike McGuire on April 16. Julie was encouraged by the conversation and looks forward to working with Sen. McGuire in the future. He was especially receptive to an idea for legislation that would provide Affordable Care Act coverage to adjunct faculty members who have a 75 percent or greater load because they work at more than one California community college campus.
  - Other Councilors who attended the forum made positive comments about the Senator, explaining that he was knowledgeable about many part-time faculty issues.
2. **Treasurer's Report: March 2015.** Paula Burks reported briefly as follows:
  - There is good news regarding our adjunct fees/dues revenue—those figures have been increasing.
  - The only unusual expense in this report was *Professional Fees: Legal*. In addition to our monthly retainer, we accrued fees for advice regarding a pending conciliation.
  - Because our revenue is improving, we may consider starting up Political Action Committee allocations next fall.

The meeting was adjourned at 5:02 p.m.

Minutes submitted by Carol Valencia.