

EXECUTIVE COUNCIL MEETING MINUTES

February 24, 2016

(Approved by Executive Council on March 9, 2016)

Executive Councilors present (noted by *):

*Sean Martin, <i>presiding</i>	*Jeanette Ben Farhat	*Molly Matheson	*Margaret Pennington
*Debbie Albers	*Shawn Brumbaugh	*MJ Papa	Karen Stanley
*Filomena Avila	*Terry Ehret	*Jacqueline McGhee	*Michelle Van Aalst
*Denise Beeson	*Deirdre Frontczak	*Terry Mulcaire	<i>Adjunct Vacancy</i>
*Paulette Bell	*Michelle Hughes Markovics	Dwayne Mulder	

Negotiators/Appointed Positions present: Marc Bojanowski, Ted Crowell, Mark Ferguson, Julie Thompson

Staff members present: Candy Shell, Carol Valencia

Councilors-Elect present: Robert Jackson, Bud Metzger

Faculty members present: Stuart Campbell

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

OPEN SESSION

ACTION ITEM

1. **Adjunct Council Appointments for 2016-18 Term**

- Sean asked the Council if there were any objections to moving this Item to the top of the Agenda, before the Closed Session Reports. None were raised.
- After the solicitation for nominees, there are four candidates for four open seats. When an election is uncontested, the Council can vote to appoint the candidate(s) by two-thirds vote of the entire Council. (See Article II, Section 2 of the AFA [Bylaws](#).)
- A motion was made, seconded and approved by unanimous voice vote to appoint adjunct faculty members Denise Beeson (Business Administration), Paulette Bell (Computer Studies), Robert Jackson (Chemistry & Physics), and Bud Metzger (Social Sciences) to the Council for the 2016-18 Term (13 in favor, 0 opposed, 0 abstentions).

Open Session adjourned at 3:10 p.m.

CLOSED SESSION REPORTS

Closed Session convened at 3:10 p.m.

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 4:02 p.m.

OPEN SESSION

Open Session reconvened at 4:02 p.m.

PRESENTATION

1. **Proposed District Policy & Procedure 2.16:** Records Retention & Destruction and **Draft Revised District Procedure 2.13P:** Computer and Communications Technology Use (*Dan Exelby, Manager, IT Infrastructure*)
 - a) Discussion of Policy & Procedure 2.16:
 - Dan handed out excerpts from Title 5 Regulations on Retention and Destruction of Records. Dan stated that this new policy and procedure would remedy the College's current deficiency per Title 5. (See [Title 5 Regulations](#).)
 - The proposed policy states that records will be classified as Class 1-Permanent, Class 2-Optional, and Class 3-Disposable. Anything that is Class 3 must be retained for three years after the date of its creation.
 - One reason the College is writing this policy is because currently the District cannot delete any email records because there is no policy in place. As a result, the College would be required to produce all its relevant email files in the event of a legal action.
 - There were questions about and a discussion of how and who classifies records into categories and the timeline for the classification and destruction of records.
 - Dan explained that the classification is accomplished according to the terms of Title 5. In addition, most of the policy and procedure came from language recommended by the Community Colleges Legal Counsel (CCLC).
 - b) Discussion of Procedure 2.13P
 - Dan handed out an excerpt on privacy rights from Privacy Rights Clearinghouse (<http://www.privacyrights.org/>) and explained that even if a Board Policy guarantees privacy, that doesn't mean it would be upheld in the event of legal action.
 - This draft policy is based on the recommendations of the CCLC. There are some redundancies [regarding accessibility and intellectual property] that Dan recommends be eliminated.
 - This draft removes much of the language about privacy in the current policy. He explained that, "We knew there would be concerns about this. Please put those concerns in writing." A question was raised about what would happen to those written concerns. Dan responded that any written comments would be shared with the President's Cabinet.
 - Sean made a comment about the use of the word "employee" for faculty members since faculty have a special status afforded by the academic freedom guaranteed by both Federal law and our Contract (see [Article 9: Academic Freedom](#)). The District could and should go above and beyond to protect the privacy of faculty while exercising their academic freedom.
 - Julie Thompson asked about the authorship of the current draft. Dan responded that he drafted the procedure based on CCLC recommendations. Scott Conrad then reviewed the draft document before forwarding it to the President's Cabinet for further review; no other constituent groups were involved. Julie commented that faculty should have been brought into the process at the very beginning rather than after the fact. Presenting the faculty with a draft and asking for "feedback" that the Cabinet may choose to ignore does not constitute true shared governance.
 - Dan explained that the things that were deleted [from the current procedure] were outdated language. Sean commented that the "outdated language" could be the very thing that needs to be in there to ensure academic freedom for faculty.
 - Debbie Albers commented that the overriding essence of this new procedure is that privacy is the rare exception, and that is not acceptable.
 - Paulette Bell commented that faculty members are not "authorized" to use electronic communications; they are "required" to use it. AFA has many confidential issues and it is important for us to be able to maintain that confidentiality. Further, there are no checks and balances in this document. As currently written, it will lead to arbitrary and capricious decision-making.
 - Shawn Brumbaugh asked about the privacy rights of students and the legal requirements of FERPA.
 - Jacqueline McGhee added that the basic premise of this document is problematic. As a result, it's not productive for us to comment on specific sections and items at this point.

- Dan concluded by stating, "Your privacy concerns are heard. I will give Scott Conrad the recommendation that this needs to be redirected."

MEMBER CONCERNS WITHIN AFA'S PURVIEW

1. Department Chair Voting. MJ Papa stated that a department is unclear about whether a faculty member on Sabbatical Leave can vote in department chair elections. Sean responded that he believed they could but will research the issue further. (See [Article 13: Department Chairs & Coordinators](#), paragraph 13.05.D.1 and [Article 7: Definitions](#), Department Electorate.)
2. Probationary Period for Adjunct Faculty Members. MJ explained that a department is confused about the number of semesters included in the probationary period for adjunct faculty members, asking if summer terms count in the calculation. AFA staff members responded that summer terms are not semesters and count only if a faculty member teaches only during the summer term. (See: [Article 16: Hourly Assignments](#), section 16.03.B.1.b.)
3. Pay Parity. Paulette Bell asked if pay parity is on the negotiations table, and, if not, will it be? Sean responded that although pay parity is always a goal taken very seriously by AFA, with the current State funding mechanism, we would have to de-link the Contract and Hourly salary schedules, and that would be disadvantageous for our adjunct faculty members.
4. Lab Equity. Shawn Brumbaugh asked about the current status of the implementation of lab equity. Given the proposed changes to the fall schedule, there would be significant ripple effects if the new lab equity formulas are implemented.

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 February 10, 2016 Executive Council meeting as submitted (14 in favor, 0 opposed, 0 abstentions).

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

DISCUSSION ITEMS

1. **AFA Executive Council Adjunct Faculty Representative Vacancy for Spring 2016**
 - Sean explained that we have had three nominations for this one open seat. The Council needs to discuss whether to appoint a replacement or hold an election by the membership.
 - Adjunct Councilors Terry Ehret, Margaret Pennington, and Paulette Bell all stated that they would prefer to hold an election by the membership. Such an election would take 10 days after approval of the candidates to participate in an election.
 - A motion was made, seconded and approved by unanimous voice vote to move this to an Action Item (14 in favor, 0 opposed, 0 abstentions).
2. **Opening of Nominations for Officers: 2016-17**
 - Sean explained that nominations are open for all positions until the vote at our next Council meeting on March 9.
 - The following nominations for officers were offered:
 - President: None—second year of two-year term for Karen Frindell-Teuscher
 - Chief Negotiator: None—second year of two-year term for Julie Thompson
 - Conciliation/Grievance Officer: Debbie Albers
 - Vice President for Santa Rosa: Sean Martin
 - Vice President for Petaluma: Michelle Hughes Markovics
 - Secretary/Treasurer: Michelle Van Aalst
3. **Opening of Nominations for Negotiating Team Members: 2016-17**
 - The following nominations for negotiating team members were offered:
 - Chief Negotiator: See above
 - President: See above
 - Data Analyst Negotiator: Mark Ferguson
 - Note Taker Negotiator: Terry Mulcaire
 - At Large Negotiators (two positions): Marc Bojanowski, Terry Ehret, Deirdre Frontczak

4. Opening of Nominations for Other Positions: 2016-17

- The following nominations for other positions were offered:
 - Publications Coordinator: Marc Bojanowski
 - DTREC Co-Chair: Warren Ruud
 - Bay Faculty Representative: Julie Thompson
 - Adjunct Cabinet Representative: Terry Ehret, Deirdre Frontczak

ACTION ITEMS**1. AFA Executive Council Adjunct Faculty Representative Vacancy for Spring 2016**

- This item was moved from a Discussion Item.
- There being no further discussion, a motion was made, seconded and approved by unanimous voice vote to conduct an election by the membership to fill the adjunct faculty representative vacancy for Spring 2016 (14 in favor, 0 opposed, 0 abstentions).

OTHER REPORTS**1. President's Report.** Sean reported briefly on the following items:

- The CCCI Conference will be held April 21-23, in Sacramento. We have funds in our budget to send six people. Please let the AFA office know if you're interested in attending.
- We are planning a meeting with the Academic Senate, and it is tentatively scheduled for Wednesday, March 30. More details will follow.
- The District has announced to department chairs that it will be cutting 6-8 percent from the Fall 2016 schedule.
- Our Spring Retreat is this Sunday at Pepperwood. The theme will be restoring professionalism for faculty members.

2. Treasurer's Report: January 2016. Michelle Van Aalst reported as follows:

- The January dues and fees revenue is higher than normal resulting from our cash-basis reporting. It reflects dues/fees from both December 2015 & January 2016 deposited in January.

The meeting was adjourned at 5:10 p.m.

Minutes submitted by Carol Valencia.