

**ALL FACULTY ASSOCIATION  
EXECUTIVE COUNCIL  
MEETING MINUTES**

May 9, 2007

*(Approved by the Executive Council on August 29, 2007)*

Executive Council members present (noted by \*):

*Janet McCulloch, presiding	*John Daly	*Michael Kaufmann	*Warren Ruud
*Alix Alixopulos	*Cheryl Dunn	*Reneé Lo Pilato	*Greg Sheldon
*Lara Branen-Ahumada	*Johanna James	*Michael Ludder	*Linda Weiss
*Paula Burks	Joyce Johnson	*Andrea Proehl	Lynda Williams

Also present: Ann Herbst, Deborah Sweitzer; Judith Bernstein and Candy Shell

The meeting was called to order at 3:07 p.m.

**MEMBER CONCERNS**

1. Lecture/Lab Dichotomy. Lara Branen-Ahumada reported that the Curriculum Committee has concerns related to their responsibility for making determinations as to whether courses are to be considered lecture or lab, as those decisions affect faculty load and pay. Lara briefly described several different examples of proposed courses, applicable Title V regulations, and the ongoing difficulties that the committee faces in reaching decisions. The committee would like to see a broader, college-wide discussion take place regarding the definition of lecture and lab. Janet McCulloch noted that this overlapping issue falls within both AFA's and the Academic Senate's purview, and that these two bodies need to reach some agreement about the definitions. She said that she would contact the Senate leadership, and would schedule a thorough Council discussion for the fall, in the interest of ultimately bringing some language to the negotiations table. Janet said she would speak to the Vice President of Academic Affairs and also volunteered to come to the next Curriculum Committee meeting.
2. Response to AFA Update re: 2006-07 Negotiations. There was brief discussion about the presentations by faculty at the May 8 Board of Trustees meeting and some of the feedback received from faculty in response to the most recent AFA Update re: salary negotiations for 2006-07. One response suggested that our faculty consider an action similar to the walkouts proposed by CSU faculty during their recent bargaining struggles.

**MINUTES**

The minutes from the April 25, 2007 Executive Council meeting were unanimously accepted as written.

**ACTION ITEMS**

1. Allocation of Reassigned Time and Stipends for Fall 2007. Council members reviewed the officers' recommendation. Janet McCulloch noted that the main difference between the current configuration and the proposal for Fall 2007 is an increase in duties for the Negotiator Data position and the creation of a new Vice President for Petaluma position. Following a motion made by Greg Sheldon and seconded by Lara Branen-Ahumada, the Council unanimously approved a motion to approve the allocation of reassigned time and stipends for Fall 2007 as set forth in the officers' recommendation (13 in favor, 0 opposed, 0 abstentions).

2. Addition to the Bylaws re: Officer or Other Appointed Position Vacancies. Following discussion (see Discussion Item #1) and a motion made by Greg Sheldon and seconded by John Daly, the Council unanimously approved a motion to approve the proposed addition to the Bylaws as written (13 in favor, 0 opposed, 0 abstentions).
3. Appointment of a Regular Faculty Representative for a One-Semester Fall 2007 Sabbatical Leave Replacement. Following discussion (see Discussion Item #2), and a motion made by Johanna James and seconded by Lara Branen-Ahumada, the Council unanimously approved a motion to appoint Joyce Johnson to serve as one of the two, one-semester sabbatical leave replacements for Fall 2007 (13 in favor, 0 opposed, 0 abstentions).
4. Authorization for Attorney Fees. Following discussion in closed session during the Conciliation/Grievance report, and a motion made by John Daly and seconded by Greg Sheldon, the Council unanimously approved a motion to authorize AFA's attorney to perform services related to the particular situation identified in the discussion (including consultation with a faculty member, review of documents and drafting of a letter) for an amount not to exceed \$500 (12 in favor, 0 opposed, 1 abstention). AFA officers will come back to the Council with a request for additional action and/or funds, if necessary.
5. AFA Purchase of First Year FACCC Membership for New Probationary Faculty Hires. Following discussion (see Discussion Item #4), and a motion made by Greg Sheldon and seconded by Lara Branen-Ahumada, the Council unanimously approved a motion to support the concept of paying one-half of FACCC membership fees for the first year for new probationary faculty hires who are members of AFA and for an equal number of adjunct faculty who are members of AFA, have assignment priority and at least a 40% load, for an amount not to exceed \$2,000, beginning Fall 2007 (13 in favor, 0 opposed, 0 abstentions).
6. Request Option of 12 Monthly Paychecks for Regular Faculty. Following discussion (see Discussion Item #5), and motion made by Johanna James and seconded by Greg Sheldon, the Council unanimously approved a motion that, rather than request that the District institute a 12-monthly paycheck option, AFA would make a concerted effort to educate its members as to how to arrange for automatic monthly deductions from their ten paychecks to a savings account, so that they can collect interest on their money, rather than having the District hold their money and collect the interest (13 in favor, 0 opposed, 0 abstentions).
7. Proposed Changes to District Policy 2.14 *Intellectual Property Rights*. Following discussion held during the President's Report, and motion made by Greg Sheldon and seconded by Lara Branen-Ahumada, the Council approved a motion to accept the officers' recommendation for further changes to District Policy 2.14 as written with the addition of language that specifies that faculty need to initiate the contract referenced in Items #2 and #3 in the policy (12 in favor, 0 opposed, 1 abstention). Janet will take the proposed modifications to College Council.

### **DISCUSSION ITEMS**

1. Addition to the Bylaws re: Officer or Other Appointed Position Vacancies. Council members reviewed proposed language to address the procedure to be followed when officers and/or others in appointed positions resign or go on leave in the middle of their term of office. Brief discussion followed about the ways in which candidates for the vacant positions are sought (first priority to Council members, second to AFA members). Following a motion made by Greg Sheldon and seconded by John Daly, the Council unanimously approved a motion to move approval of this addition to the Bylaws to an action item (13 in favor, 0 opposed, 0 abstentions).

2. Appointment of Two Regular Faculty Representatives for Two, One-Semester Fall 2007 Sabbatical Leave Replacements. Janet McCulloch informed the Council that two Council members would be going on sabbatical in the Fall 2007 semester and two regular faculty members of AFA would need to be appointed as replacements. Joyce Johnson, who is currently filling in as a one-semester sabbatical leave replacement on the Council, has expressed interest in continuing to serve on the Council. Janet asked the Council for other recommendations, and a list of prospective candidates was compiled. The AFA officers will contact faculty on the list and report back to the Council. Following a motion made by Johanna James and seconded by Michael Ludder, the Council unanimously approved a motion to move the appointment of one sabbatical leave replacement to an action item (13 in favor, 0 opposed, 0 abstentions).
3. Contributions to Community College Initiative. Janet McCulloch reported that the AFA PAC voted to send \$2,000 immediately to the Initiative. She requested that the Council consider how much to direct to the Initiative from member dues in the future, given that the AFA budget is always getting tighter. She reported that some colleges are implementing a one-time assessment of their members. In order to move money from member dues into the AFA PAC, the same amount for both regular and adjunct faculty needs to be set and the amount cannot be based on a percentage. Janet noted that, when the initiative was in its signature-gathering phase to qualify for placement on the ballot, the fundraising goal for our District was \$17,000. If AFA were to contribute half that amount, we would need to raise \$8,500. Several suggestions were made, ranging from \$5 per member to \$100 per member. Greg Sheldon, FACCC Board member, noted that the campaign needs \$4 – 6 million to ensure passage of the initiative, which would stabilize enrollment and funding for community colleges. FACCC will be publishing brochures and Janet noted that she is working with California Community College Independents (CCCI) President Rich Hansen to draft a fundraising plan for the independent unions with a timeline. It was suggested that the AFA PAC contribute the current balance in the PAC account. Janet said she would follow up with the PAC Steering Committee, and that the officers would bring a proposal re: future contributions from AFA members back to the Council in the fall.
4. AFA Purchase of First Year FACCC Membership for New Probationary Faculty Hires. As mentioned at a previous Council meeting, it has been suggested that AFA consider the possibility of paying one-half the cost of the first year of Faculty Association of California Community Colleges (FACCC) membership dues for newly hired probationary faculty. FACCC would split the \$150 cost with AFA, each contributing \$75 for the first year. If there were 16 new probationary faculty members, the cost to AFA would be \$1,200. Starting with the second year of membership, FACCC dues (\$150 annually) would shift to an automatic monthly deduction from the faculty members' paychecks. Several reasons were given for promoting FACCC membership in this way: 1) as older faculty members retire, it would be beneficial for new faculty to get involved and learn about what's going on at the state level through FACCC's e-mails and publications; 2) FACCC is the only lobbying group that exclusively represents community college faculty at the state level; 3) it is to AFA's advantage as a bargaining unit to spend some of its money to support such an effective organization as FACCC; 4) some community college unions are affiliated with FACCC, which means that members pay dues to both organizations, and 5) if AFA were affiliated with a state or national union (like CFT or CTA), faculty would have to pay much higher dues. It was recommended that information re: FACCC membership be placed on the agenda for new faculty orientation, alongside information re: AFA membership. There was also discussion about paying the first year's FACCC membership fees, on a first-come, first-served basis, for an equal number of adjunct faculty who have passed their probationary period and have at least a 40% load. The Council was in

agreement that both adjunct and new probationary faculty would need to be members of AFA in order to be eligible for AFA-paid, first-year FACCC membership fees. Following a motion made by Greg Sheldon and seconded by Lara Branen-Ahumada, the Council unanimously approved a motion to move this item to an action item (13 in favor, 0 opposed, 0 abstentions).

5. Request Option of 12 Monthly Paychecks for Regular Faculty. Janet McCulloch reported that several regular faculty members have requested that the Council consider asking the District for the option of 12 monthly paychecks instead of 10. The IRS requires that taxes be withheld from the ten paychecks issued during the academic year when faculty are working. There are some faculty members who prefer the 12-paycheck option because they would rather have the District hold onto their money and budget it for them, thereby preventing access and the temptation to spend it before the summer months. Given the fact that the District does not want to offer both 10-pay and 12-pay, and the majority of faculty prefer 10-pay, it was suggested that, instead of asking the District to return to 12-pay, AFA educate its members as to how to have monthly deductions automatically taken out of their ten paychecks and how to decide how much to put into a savings account for ten months in order to have enough to cover the two summer months. Following a motion made by Greg Sheldon and seconded by Lara Branen-Ahumada, the Council unanimously approved a motion to move this item to an action item (13 in favor, 0 opposed, 0 abstentions).
6. Budget Education: The SRJC Budget. This item was postponed until the next Council meeting.

### MAIN REPORTS

1. President's Report. Janet McCulloch reported on the following items:
  - College Council: No Comfort Animals. A decision was recently made that the only animals allowed on campus would be service dogs, which need to be certified by the Disability Resources Department and kept on a leash while on campus.
  - College Council: District Policy 2.14 *Intellectual Property Rights*. College Council will be considering the final version of this revised policy at their May 10 meeting. Janet requested that the Council review the modifications proposed by College Council and the further modifications drafted by the AFA officers. The officers are recommending that faculty obtain a written contract for any work performed on an online project for which they are paid District funds, so that it is clearly stated what is to be done, what share belongs to the faculty member and what share belongs to the District. It was noted that case law all the way up to the Supreme Court has established that if an employer commissions the work and pays an employee for the work, the employer owns the material. Anything that is created outside of a faculty member's employment with the District is not affected by this policy. It was suggested that faculty should not count on the District to initiate the contract and that a sentence be added to the policy indicating that faculty need to initiate it. Following a motion made by Greg Sheldon and seconded by Lara Branen-Ahumada, the Council unanimously approved a motion to move approval of the modifications to an action item (13 in favor, 0 opposed, 0 abstentions).
2. Negotiations Report. This report and subsequent discussion were conducted in closed session.
3. Conciliation/Grievance Report. This report and subsequent discussion were conducted in closed session.

The meeting was adjourned at 5:04 p.m.

Minutes submitted by Judith Bernstein.