

**ALL FACULTY ASSOCIATION  
SANTA ROSA JUNIOR COLLEGE  
EXECUTIVE COUNCIL MEETING MINUTES**

October 14, 2009

*(Approved by the Executive Council on October 28, 2009)*

Executive Council members present (noted by \*):

*Warren Ruud, <i>presiding</i>	*Dianne Davis	*Reneé Lo Pilato	Andrea Proehl
*Alix Alixopulos	*Cheryl Dunn	*Michael Ludder	Audrey Spall
*Lara Branen-Ahumada	*Karen Frindell	*Sean Martin	*Mike Starkey
Paula Burks	*Lynn Harenberg-Miller	*Michael Meese	*Julie Thompson
*John Daly	*Michael Kaufmann	*Dan Munton	

Officers/negotiators present: Ted Crowell, Ann Herbst, Janet McCulloch

Faculty present: Ellen Licht

Staff present: Judith Bernstein, Candy Shell

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

**MEMBER CONCERNS**

1. Shadow Schedule for Spring 2010. Mike Starkey asked for a status report about the shadow schedule for Spring 2010. Warren Ruud said that Proof 2 of the schedule has been submitted, but the Scheduling Office won't be posting the schedule online until October 26, 2009. (The electronic posting of the schedules constitutes the official offer of an assignment.) Dianne Davis and Karen Frindell, two Councilors who also serve as department chairs, reported that the chairs were told that any course that was set up as a shadow section was to be eliminated, in order to help meet the District's target goal of offerings for the Spring 2010 schedule. Warren noted that the District has not yet released their FTEF goal for Spring 2010, and that the most recent information he was aware of was that there was to be an additional 15% reduction off the 7% reduction from Spring 2008. As there were conflicting reports regarding the status of these shadow sections and the percentage of additional reductions departments have been asked to make, Warren said that he would follow up with the vice president of Academic Affairs and report back. There were also reports that the District's scheduling computer program could not distinguish between the shadow schedule and the official schedule. In response to Sean Martin's question about whether a shadow section is supposed to represent an offer that establishes like-load, Warren said that it was not the District's intent for the shadow sections to establish like load; rather, the purpose of the shadow schedule was to put a hold on rooms and section numbers, and to have a plan in place so that departments would be able to bring instructors back on in a more fair and orderly fashion if more FTEF were to be allowed. According to the subsequent discussion, some departments took the initiative and attached instructors' names to shadow sections, while other departments did not. There was brief discussion about the notion of efficiency, and how to determine the number of FTES per FTEF in the various types of assignments (e.g., lab, lecture, etc.). Warren explained that when the college is in a growth mode, efficiency decreases, and that it

is always more expensive to get the last 1% when a college is seeking growth. When the college is in a contracting mode, efficiency typically goes up. He added that class size ought to be determined by a pedagogical limit and how big the room is – the section class size limit ought to be the smaller of those two numbers. Just because a classroom seats 64 students, doesn't mean that 64 students should be allowed to enroll. In the past, if an instructor could get 25 students in a class, the District would let the class go; however, that is not the case anymore — a class needs to have some purpose inside the program in order to be offered. Warren noted that class size and workload issues are on AFA's list of items to consider in negotiations with the District during 2009-10.

2. Relinquishing Hourly Assignments for Spring 2010. Sean Martin asked for a status report on the Memorandum of Understanding (MOU) allowing faculty members to voluntarily relinquish hourly assignments in Spring 2010 while still maintaining their assignment priority. Warren Ruud reported that the MOU was signed earlier in the day. Sean asked for the reasons for the delay, noting that, as the person who's responsible for developing the schedule in his department, it would have been helpful to have the information much earlier. Warren explained that he notified the chairs in September when the MOU was in the process of being crafted that AFA and the District had reached agreement in principle on the matter. He also described the review process that the District engages in prior to Dr. Agrella signing any MOU. This newly signed MOU re: Article 16 and Spring 2010 assignments includes language that the District insisted on, which requires that the load be offered to the instructor and the assignment be electronically published in the schedule, before the instructor turns it down while requesting protection of his/her like load pattern. There was brief discussion of the extra paperwork and scheduling changes that this requirement creates for chairs and faculty who create the schedule, as well as for their administrative assistants.
3. Professional Growth Increments (PGI) Approval Process. On behalf of a regular faculty member who submitted a portfolio of activities to the PGI Committee for approval, John Daly expressed concern that the PGI Committee was not adhering to the agreement reached between AFA and the District to utilize the criteria from the previous version of Article 21 in evaluating activities submitted for approval by faculty members who were already engaged in the PGI process prior to the 2009 MOU re: Article 21 and the ratification of the 2009 Tentative Agreement. Cheryl Dunn, who is a member of the PGI Committee, stated that the committee is still in the midst of reviewing PGI applications, that they have not completed their evaluations yet, and that they are using both the current and the former processes as outlined in the Contract to evaluate the activities included in each application. Warren Ruud added that at least one other similar concern, in addition to the one John referenced, has been brought to the attention of AFA's conciliation/grievance officer (CGO), that both are in the conciliation process, that he would be following up with the CGO on these particular concerns, and that, consistent with past practice, AFA is committed to protecting the rights of the faculty member.
4. Adjunct AFA Officer. Mike Starkey asked for a status report on the suggestion re: creating an AFA adjunct officer position — an idea that was first raised at the Council's fall retreat. Warren Ruud said that the officers have discussed the idea, along with other suggestions mentioned at the retreat, but they are not ready yet to come forward with any proposal. He added that the regular elections cycle for officer positions comes up in the spring of each year.

5. Adjunct Medical Benefits Program (AMBP). On behalf of two adjunct faculty members, Michael Ludder requested Council support for and discussion about a matter currently in the conciliation/grievance process, regarding a change in the District's eligibility criteria for the AMBP that has resulted in the reduction of medical benefits for the affected faculty members. Warren Ruud said that the Council would need to wait for the conciliation/grievance report in a closed session in order to discuss the matter.
6. AFA Budget Forum. Warren Ruud reported that AFA sponsored a budget forum on Tuesday, October 13, 2009, which featured Assemblymember Noreen Evans and Faculty Association of California Community Colleges (FACCCC) Executive Director Jonathan Lightman. The forum, which was teleconferenced to the Petaluma campus and was attended by approximately 70 people (including faculty, classified staff, administrators, and students in Santa Rosa and Petaluma), was also recorded on video. The video will be available online soon, most likely on the FACCC Website [www.facccc.org](http://www.facccc.org) and on Assemblymember Evans' Website at <http://democrats.assembly.ca.gov/members/a07/>. Warren expressed his appreciation to AFA Staff for all its work in coordinating and preparing for the forum.
7. Federal Subsidy of COBRA Premiums. Mike Starkey requested clarification about a concern raised at the September 23 Council meeting regarding the federal subsidy of COBRA premiums for faculty members who have been laid-off of work and are no longer eligible for 50% District-paid premiums under the AMBP. Warren Ruud responded that, after he speaks to Rich Hansen of Foothill DeAnza (FHDA) Community College Faculty Association at this weekend's California Community College Independents (CCCI) conference, he would report back to the Council about how the FHDA district is implementing that particular provision of the federal stimulus bill. Michael Ludder has been researching this issue and he explained that people who have been laid off from their jobs (or had their hours reduced) and have subsequently lost their medical coverage are eligible to have 65% of their COBRA premium for medical insurance paid by the federal government, retroactive to December 2008. The definition of the phrase "involuntary termination," which was used in the federal stimulus bill, has been a sticking point in implementation of this provision. Initially, the District's Human Resources Department was interpreting that phrase in such a way as to render adjunct faculty who lost all or only part of their assignments ineligible for the federal subsidy; however, Michael said he believes that problem has been rectified. Janet McCulloch added that the language in the federal legislation was written for a different population and they didn't take the situation of adjunct faculty into account. It was recommended that any faculty members who have questions about the federal COBRA subsidy should contact the Human Resources Department.
8. Linked Salary Schedules. Mike Starkey asked two follow-up questions to a Member Concern discussed at the September 23 Council meeting about the linked salary schedules: 1) how the 0.565% the pay reduction to the hourly schedules was justified; and 2) how that reduction was different and separate from the categorical reductions. Warren Ruud explained that the the 0.565% reduction to the "normal" annual contract salary schedules ripples throughout all the schedules, whereas the two categorical programs by Contract change the pro rata rate for the enhanced hourly schedules. The cuts do not affect the mechanics of the link; rather, the funds from the state categorical programs increased the pay factors for each assignment type. The Contract spells out that when the state categorical program funds are reduced, the pro-

rata rate will be reduced accordingly by a proportionate amount. The method of linking still exists – it's the numbers inside the linking that have changed. The Contract allows the enhanced pay rate to go up and down, in response to fluctuations in state funding. AFA prevented the District from automatically eliminating the enhancement in an MOU included in the 2009 Tentative Agreement.

9. Changing Retirement Plans. Michael Ludder questioned whether an adjunct faculty member who is participating in the Fidelity Investments Plan through the District could roll over their funds into the CalSTRS Defined Benefit Plan, and whether someone participating in a CalSTRS plan could roll their funds into Social Security, should that option ever be offered by the District. There was very brief discussion about the logistics and ability of adjunct faculty members to roll over funds or switch between District-sponsored retirement plans, and the recent legislation that permits CalSTRS Cash Balance Plan participants to switch to Social Security under certain conditions.

### MINUTES

The minutes from the September 9, 2009 and September 23, 2009 Executive Council meetings were accepted as submitted. Several items included in the minutes were discussed during Member Concerns (see Member Concerns #7, #8 and #9).

### ACTION ITEMS

1. Appointment to AFA Standing Committee — Article 16. Warren Ruud reported that Lara Branen-Ahumada has requested to be reappointed to the Article 16 Standing Committee. Lara clarified that she had previously stepped down from serving on that committee in error. Following a motion made by Michael Meese and seconded by Sean Martin, the Council approved the appointment of Lara Branen-Ahumada to the Article 16 Standing Committee by unanimous voice vote.
2. Appointment of AFA Representative to AFA/Senate Compressed Calendar Task Force. Warren Ruud reported that Audrey Spall has resigned from the Compressed Calendar Task Force, and that the officers have recommended that Greg Granderson be appointed to take her place. Following a motion made by Michael Meese and seconded by Sean Martin, the Council approved the appointment of Greg Granderson to serve as an AFA representative on the joint Compressed Calendar Task Force by unanimous voice vote.
3. Approval of Conference & Travel Expenses for FACCC 11.7.09 Part-time Faculty Symposium. Warren Ruud reported that the officers are recommending that AFA pay registration fees and carpool mileage\* for four adjunct Councilors, officers, and/or negotiators to attend the upcoming FACCC Part-time Faculty Symposium, which will be held on November 7, 2009 from 8:30 a.m. to 4:00 p.m. at City College of San Francisco. More information is available on the FACCC Website at [www.faccc.org](http://www.faccc.org). The invitation is also open to regular faculty, and if more than four people want to attend, the organization would consider supporting that. Warren encouraged those who are interested in going to send an email of interest to AFA staff. Following a motion made by Michael Meese and seconded by Sean Martin, the Council approved the expenditure of funds to cover registration fees and carpool mileage for any Councilor, officer or negotiator who wishes to attend the November

7 FACCC Part-time Faculty Symposium by unanimous voice vote. Janet McCulloch repeated an announcement made at the previous day's budget forum that regular faculty who join FACCC would receive a \$50 gas card and a FACCC backpack, and adjunct faculty who join FACCC would receive a \$25 gas card and a FACCC backpack.

*\*Carpool mileage = assuming four people per vehicle, take the round-trip mileage times the number of people, divide by 4 and round up.*

### DISCUSSION ITEMS

1. November 2009 Council Meetings. In November, the second Wednesday (typically, the Council's first meeting of the month) falls on Veteran's Day, which is a school holiday. Warren Ruud suggested that the Council consider holding open the afternoon of Friday, November 13, 2009 as an alternative meeting time. FACCC has expressed interest in making a presentation to the Council, and it was suggested that their presentation could be made at the November 13 meeting, possibly starting at noon at an off-campus location. Warren asked Councilors to save that time slot. The second Council meeting of the month falls on Wednesday, November 25, 2009, which is the day before Thanksgiving. Three Councilors indicated that they would not be able to attend that latter meeting.
2. Fall 2009 Referendum. A 13-page document, including the referendum and background information for each initiative, was distributed to Councilors via email prior to the meeting for their review. Warren Ruud thanked everyone who participated in the development of the referendum and the initiatives, noting that the group included a broad cross-section of Councilors, officers, negotiators, and staff. He said that, in contrast to the surveys that AFA has administered in the past, the intention is that this referendum would be more specific and the results more binding. The document is still in the draft stage. The Adjunct Issues Committee has submitted some recommendations for revisions. A cover sheet will be developed to introduce the packet, which will be posted on the AFA Website when it is complete. The plan is to distribute the referendum ballots by October 26<sup>th</sup>, so that faculty will have two weeks to inform themselves about the issues and vote. Adjunct faculty ballots will be mailed to home addresses and regular faculty ballots will be distributed to campus mailboxes. Anyone who is an active member of AFA, including those instructors who have zero load but are still in the adjunct pool (i.e., those who would be eligible to take on a substitute or late-start assignment) will receive a ballot. Warren said that the officers are considering the idea of sending out an email to faculty highlighting one issue at a time and including links to the initiatives and references. There will also be an online forum linked on the AFA Website at [www.santarosa.edu/afa/](http://www.santarosa.edu/afa/) where any faculty member may express their opinions on any one or more of the initiatives.

Following Warren's introduction, Cheryl Dunn distributed and explained the rationale behind an alternative version of the draft referendum, which included a reorganization, reformatting and rewording of some of the three AMBP initiatives. Councilors subsequently engaged in lengthy discussion about the following issues: 1) whether regular and adjunct faculty members should see the questions that the other group is being asked; 2) whether one particular question on the adjunct referendum regarding the reduction of adjunct salary by 2% should be asked at the same time as the others or postponed for a subsequent ballot that would be sent out after the results from the first ballot are known; 3) whether the

consequences to each “no” vote should be spelled out in the background of each initiative on the first referendum; 4) whether the votes from each group within the unit should be tabulated separately or combined; 5) whether the Council, while encouraging members to read the information carefully in order to make their own informed decisions, should issue a recommendation on the best outcome and way for faculty to vote on each question; 6) whether the second referendum for adjunct faculty members could be sent out via email and the balloting conducted online (such as by using [www.zoomerang.com](http://www.zoomerang.com)), due to the fact that all the results need to be received and tallied by November 20 and it would be difficult logistically (and costly) to process two referenda using paper and USPS in that amount of time; and 7) how to balance the need for accountability and confidentiality when conducting a referendum ballot electronically.

In terms of the timeline, Janet McCulloch said that the referendum ballots must be tabulated and results finalized and communicated to the District by November 20, 2009, in order to meet Payroll Department deadlines for the December 2009 payroll; otherwise, the burden of the categorical program cuts would be borne disproportionately by the faculty members who have hourly assignments during spring and summer 2010. Janet said that it is highly likely that the governor will be proposing additional mid-year cuts to the state budget in January, and the District will have to make even more draconian cuts to programs. Currently, SRJC is the only community college at which regular faculty have taken any reduction in contract salary. (Some regular faculty members have taken a voluntary reduction in pay.)

Following the discussion, the Council reached consensus that: 1) the 2% question will not be on the first ballot (as requested by the Adjunct Issues Committee) but the information will be fully disclosed in the A1/R4 initiative background information distributed to faculty; and 2) the Adjunct Issues Committee will recommend to the Council the mechanics and logistics of conducting the second faculty referendum electronically and will come back to the next Council meeting with a recommendation. The second referendum will be only for adjunct faculty and will only be distributed if either A1 or R4 is not approved.

### ANNOUNCEMENTS

Warren Ruud announced that he would be taking a leave from his seat on the Council and from his position as AFA president at the end of the Fall 2009 semester, as he will be taking a Spring 2010 semester sabbatical leave (approved in 2007-08). Nominations of candidates to fill both his current positions of president and regular faculty representative/Councilor for the Spring 2010 semester will be scheduled for the October 28, 2009 Council meeting, and elections will be conducted following procedures established in the AFA Bylaws and policies. Warren further announced that Ann Herbst has indicated her interest in becoming a candidate for both positions. If elected as president, Ann would need to take a leave from her position as AFA conciliation/grievance officer. Warren added that Audrey Spall has indicated an interest in being considered as a candidate for that latter position for one semester.

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

Minutes submitted by Judith Bernstein