

## **EXECUTIVE COUNCIL MEETING MINUTES**

December 12, 2012

*(Approved by the Executive Council on January 13, 2013)*

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

Faculty members present: Abby Bogolmony

Staff members present: Judith Bernstein, Candy Shell

The meeting was called to order at 4:22 p.m. in Doyle Library, Room #4245, on the Santa Rosa campus.

### **MINUTES**

By unanimous voice vote, the Council approved a motion made by Bud Metzger and seconded by Terry Mulcaire to approve the minutes from the November 28, 2012 Executive Council meeting as amended with the following correction: a reference to AFA's *20th Anniversary Resolution of Independence* will be added to the comment in the fourth bullet under Discussion Item #2 towards the top of page 4 (17 in favor, 0 opposed, 0 abstentions). (Approved minutes are posted at <http://www.santarosa.edu/afa/minutes.shtml> .)

### **DISCUSSION ITEMS**

1. AFA Spring 2013 Calendar. Councilors reviewed the proposed schedule of AFA meetings and other events for the Spring 2013 semester, which includes standing meetings of the Council, Cabinet, and Negotiations Team; a tentative date for the spring General Membership Meeting (May 8); a date for the spring retreat (February 23); tentative dates for the CCCI conference (April 25-27); a tentative date for the spring-semester Council meeting on the Petaluma campus (March 27); and the spring election cycle dates—the beginning of the solicitation period for Executive Council candidates on January 29, the close of the balloting period on February 20, and the election of officers, negotiators, and other positions on March 13. With regard to Council meetings for January, Julie pointed out that, if the Council was to meet on the third and fifth Wednesdays in January instead of on the usual second and fourth Wednesdays, that option would maintain an every-other-week meeting schedule throughout the entire semester and would avoid a three-week gap between meetings. There would be one conflict with an Academic Senate meeting (also 3–5 p.m.) on January 30. (The Senate's first meeting of the spring semester is scheduled for the fifth Wednesday in January instead of the usual third Wednesday.) This conflict will affect two Councilors who also serve as Senators. There being no discussion, by unanimous voice vote, the Council unanimously approved a motion made by Bud Metzger and seconded by Paula Burks to move this item to action (17 in favor, 0 opposed, 0 abstentions). (Executive Council and General Membership meetings are posted on the AFA Calendar at <http://www.santarosa.edu/calendar.shtml> .)

### ACTION ITEMS

1. AFA Spring 2013 Calendar (see Discussion Item #1). By unanimous voice vote, the Council unanimously approved a motion made by Bud Metzger and seconded by Andre LaRue to approve the AFA Calendar for Spring 2013 as presented (17 in favor, 0 opposed, 0 abstentions).
2. Revision to AFA Bylaws. Julie reported that she and adjunct Councilors Deirdre Frontczak and Mike Starkey met to develop ground rules upon which to base new language in the Bylaws that would be fair and consistent with the existing structure and would address the following question: When an adjunct faculty member is elected to serve a term as a Councilor, negotiator, or other position and that individual loses all assignments, what is the mechanism that allows him or her to maintain eligibility as an AFA member in order to continue serving in that position? (For previous Council discussions on this subject, see Discussion Item #2 in the minutes from the October 10, 2012 Council meeting at [http://www.santarosa.edu/afa/1213/Meetings/Minutes/minutes\\_101012.pdf](http://www.santarosa.edu/afa/1213/Meetings/Minutes/minutes_101012.pdf) and Discussion Item #4 in the minutes from the October 24, 2012 Council meeting at [http://www.santarosa.edu/afa/1213/Meetings/Minutes/minutes\\_102412.pdf](http://www.santarosa.edu/afa/1213/Meetings/Minutes/minutes_102412.pdf).) Julie, Deirdre, and Mike thought they figured out solutions to all the various quandaries that had been identified previously; however, in the process of crafting the actual language, a number of complexities and unintended consequences were revealed. Julie commented that by changing one thing, it triggered certain unintended ripple effects, and she suggested that it would take more time and work than anticipated to resolve these issues. Given the fact that Prop 30 has passed and the likelihood that the schedule will grow next year (meaning that adjunct faculty serving in AFA positions would be less likely to lose all their academic assignments), Julie pointed out that the Council could choose to defer work on this set of revisions and let future leaders of AFA address it down the road. That being said, she noted that there is an urgent matter that the Council needs to address immediately. Lynn Harenberg-Miller, an adjunct faculty member and former Councilor who was elected to serve as negotiator and Adjunct Cabinet Representative for the 2012-13 year, has no assignments in the spring. Julie noted that there is a mechanism in the existing Bylaws that would allow the Council to override the Bylaws and make an exception such that Lynn could continue to serve in Spring 2013 and complete the remainder of her term. (Approval of an exception to the Bylaws requires a two-thirds vote of the entire Council.)

In response to a request for clarification of the issues involved, Julie described some of the complexities and unintended consequences encountered in drafting the language. She noted that one of the fundamental questions is, what constitutes membership? If service on the Council is ancillary to an academic assignment, do the dues collected from a faculty member serving on AFA, but who has no academic assignment, confer membership status? She said that attempting to address all the parameters in an initial draft inadvertently led to a "self-perpetuating time machine." (In essence, a faculty member who had no assignments could serve on the Council, receive a paycheck for that service, and pay AFA dues on those earnings. By virtue of paying dues as an AFA member, that faculty member who had no assignments could complete his or her term and, also, would then be eligible to run for a seat on the Council for a separate, subsequent term.) Julie said that the consensus of the group was that it seemed reasonable for adjunct faculty members to be able to continue serving for one year after they had lost all their assignments; however, if someone was elected to a two-year term and lost his or her assignments in the first of the four semesters of that term, allowing that person to serve out an entire two-year term without any assignments seemed excessive. (In response to a Councilor's question about whether this set of circumstances could affect regular faculty, Warren said that it would be very unlikely that regular faculty members would lose all their assignments.) Julie said that another potential problematic issue relates to AFA's regular election cycle, which falls in the spring. If someone lost eligibility to serve and had to be replaced in the fall, then AFA would need to hold a special election, which could conceivably mean that AFA would be holding elections every fall and every spring, creating additional workload for the office staff. Julie pointed out that the argument for allowing adjunct faculty in AFA leadership positions to continue serving after they have lost their academic assignments is that the learning curve for AFA is very steep, and it is in the best interest of the organization to

try to hold on to the institutional knowledge and memory that come from serving over time on the Council and/or the Negotiating Team.

At the conclusion of the discussion, by unanimous voice vote, the Council approved a motion made by Nikona Mulkovich and seconded by Brenda Flyswithawks to move suspension of the Bylaws with regard to Lynn Harenberg-Miller's eligibility to continue serving in her current positions in Spring 2013 to action (17 in favor, 0 opposed, 0 abstentions).

3. Suspension of the Bylaws (see Action Item #2). By unanimous voice vote, the Council approved a motion made by Nikona Mulkovich and seconded by Brenda Flyswithawks to suspend the Bylaws and allow Lynn Harenberg-Miller to continue serving in her current positions as negotiator and Adjunct Cabinet Representative for the Spring 2013 semester (17 in favor, 0 opposed, 0 abstentions). Julie asked whether—as a “gift to future generations”—the Council wished to take time in the early spring to fix the recently discovered internal contradictions in the organization's documents. After brief discussion and an acknowledgement of the time involved and the difficulties inherent in revising Bylaws for any organization, it was suggested that the Council defer further work on this particular set of revisions until Fall 2013.

### **MAIN REPORTS**

1. President's Report. Julie reported the following: (1) I.T. Director Scott Conrad is scheduled to attend the first Council meeting in January to present and answer questions about proposed revisions to the District's Computer and Communications Technology Use Policy and Procedures; (2) Pending final editing, AFA staff will be posting and sending out the job announcement for the AFA Office Coordinator replacement position; and (3) At the breakfast meeting that included Julie, Warren, several members of the Board of Trustees, Classified staff, and student leaders, there was discussion about this group meeting more frequently than just once per semester and about the possibility of Board members attending visits with legislators during Lobby Day at the 2013 March in March in Sacramento.
2. Conciliation/Grievance Report. This report and discussion were conducted in closed session.
3. Negotiations Report. This report and discussion were conducted in closed session.

The meeting was adjourned at 5:25 p.m.

Minutes submitted by Judith Bernstein.