



santa rosa junior college  
All Faculty Association

*AFA is working for you.  
The strength of faculty working together.*

## EXECUTIVE COUNCIL MEETING MINUTES

February 22, 2023

(Approved by the Executive Council on March 29, 2023)

Executive Councilors present (noted by \*):

* Sean Martin, <i>presiding</i>	* Brenda Flyswithawks	* Salvador Rico	* Kat Valenzuela
* Ashley Arnold	* Erica Lohne	* Emily Schmidt	* Michelle van Aalst
* Leticia Contreras	* Steven Kessler	* Ivan Tircuit	* Ethan Wilde
* Anne Donegan	* Siobhan McGregor-Gordon	* Dawn Urista	<i>vacant associate</i>
* Wayne Downey	* Venona Orr	* Carlos Valencia	

Negotiators/Appointed Positions present: Casandra Hillman, K. Frindell Teuscher

Staff members present: Stephanie Simons

The meeting was called to order at 3:05 p.m. in Doyle 4520, on the Santa Rosa campus and via Zoom conferencing.

### 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.
- 3. Cabinet Report.** This report and discussion were conducted in Closed Session.

Closed Session adjourned at 4:01 p.m.

### OPEN SESSION

Open Session reconvened at 4:03 p.m.

### MEMBER CONCERNS WITHIN AFA'S PURVIEW

No Member Concerns were voiced.

### MINUTES

A correction to the minutes was requested. A motion was made and seconded to approve the minutes, as corrected, from the February 8, 2023 Executive Council meeting (18 in favor, 0 opposed, 0 abstentions). (Approved minutes are posted at <http://www.afa-srjc.org/minutes.shtml>).

### DISCUSSION ITEMS

**1. Recap: Collegiality in Action Event.** Sean explained that the event took place on Friday, February 10. ASCCC was the principal organizer and was joined by guest speakers from the Community College League of California and CCCI representative Jeff Michaels. The presentation covered matters within the respective purview of each group, including Title V and EERA. Sean found the event to be a productive and positive experience, and much of what AFA planned to discuss was addressed. He invited open discussion.

#### • Questions & Comments

- A Councilor commented that an important takeaway was that AFA members should be interacting on a regular basis with other governing bodies to create bonds with each other. At a Latinx Faculty and Staff Association (LFSA) meeting, a faculty member shared that a current accepted practice in supporting collegiality and collaboration among groups is to host informal gatherings.
- A Councilor offered that informal gatherings are a good idea that should be employed with more frequency. The Councilor suggested it would be helpful to bring back the monthly meetings between the Academic Senate, AFA, and DCC. They felt that the meetings were productive and helpful in

promoting collegiality. The Councilor believes re-creating that formal structure will encourage the groups to work together.

- Sean commented that there was a faculty leadership council composed of leaders from AFA, Academic Senate, and DCC. He noted that these groups typically have overlapping interests for faculty. Sean was enthusiastic about having that continue.
- A Councilor stated they were unable to attend the event. They asked for meeting highlights, and if it appeared that people were in agreement at the conclusion of the event.
  - ⇒A: It was not a session with a vote, stated consensus, or recap, but AFA left with the impression that questions that are matters of purview that are ongoing areas of cross-over were addressed effectively and in a manner that corresponded with AFA's perspective regarding the law and purview. There was a discussion on class size and the overlapping interests between the Academic Senate and AFA. The Academic Senate, under 10+1, considers matters of class size as it pertains to pedagogy. Class size is also explicitly cited under the EERA as a matter of bargaining. The question becomes one of ordering of those interests. In this case, the District and AFA engaged in initial negotiation with the District, establishing a process where the Academic Senate would conduct a survey to provide input on pedagogical concerns regarding class size. Then, the survey results would be returned to AFA to present to the District as a starting point for further negotiations. In some cases, it may be handled in a different order or be less clear, but in all cases, the District has a prior legal duty to meet with the Union on matters within the scope of bargaining prior to engaging directly with AFA's unit members. Additionally, Union members must bring the ideas or concerns to AFA to be negotiated with District. Under 10+1, the Academic Senate provides recommendations on matters within their exclusive purview directly to the District. Representatives on District committees must be watchful to make sure matters on the agenda and spontaneous discussions do not relate to bargaining. Jeff Michaels advised that discussions regarding matters of working conditions can occur in a nuanced way so that the discussion does not result in any agreement or catch any sympathy or enthusiasm before it comes to the table. When discussions elicit reactions, it can affect AFA's position at the negotiations table.
- A Councilor found a particular example of direct dealing to be worthy of mention: If a faculty member finds themselves in a conversation where a District team member implies the faculty member can have a particular expectation related to a working condition, the faculty member should be wary and immediately bring the concern to the attention of AFA.
  - ⇒Sean further commented that every topic is open to discussion - it is not a matter of limiting free speech. Rather it is a question of with whom and where the discussion occurs. Ideas and advanced thoughts can be envisaged among and between faculty members, but the discussion should not generate momentum. When an area of concern is determined, the immediate next step should be: bring the working conditions to AFA. This guarantees the right to free speech, while maintaining the rights and purview of the exclusive collective bargaining agent.
- A Councilor made a suggestion regarding changes to the policy and procedure of limiting class size. The Councilor suggested the focus be on how scheduling is approached in a department, asking departments to prioritize the recommendation of classes that are under-enrolled as opposed to prioritizing enrollment to reach the cap on more popular courses before recommending enrollment in under-enrolled courses.
  - ⇒A: AFA must allow departments to solve some problems internally, being mindful of the potential for micro-managing a department. AFA's efforts must be balanced with the needs and authority of the other governing bodies. The Academic Senate's purview includes issues of class size/enrollment as related to pedagogical and disciplinary reasons. AFA's concerns include workload issues, salaries, benefits, and layoffs. The District's concern in the enrollment process includes budgeting, which may be in tension with AFA's interests in preserving employment of our members.
- Sean commented that a safe principle to follow is to bring any concern or suggestion regarding working conditions to AFA because AFA may have recently worked with another department on a similar issue, which may provide insight to a solution.
- A Councilor highlighted use of "the pause button" when conversations begin to cross lanes of purview. The Councilor stated faculty rely on District colleagues to recognize when a topic of discussion needs to take place between the District negotiations team and AFA negotiations team. The Councilor asked if the Community College League of California's representative and District colleagues supported the use of "the pause button."
  - ⇒Sean responded that the District colleagues seem to agree on the use of "the pause button." The District's legal counsel, Laura Shulkin, prepared the Bermuda Triangle document, referencing such a tactic. This suggests the District has every intention to uphold the obligation to defer conversations

about matters of workload issues until such a time that they can be discussed with AFA. Sean concluded by stating that AFA depends on union members, colleagues on committees, and those who work with upper management to support this process.

**2. Establishment of Election Policy Workgroup.** Sean explained that the closed session discussion was a continuation of the discussion of the errors that occurred during the AFA elections on January 25. The run-off and subsequent elections are scheduled for the March 8 Council meeting. The current policy will guide that election, but in light of the mistakes that happened in the last election, there is a demand to review the policy and be knowledgeable of the policy to minimize future mistakes. Current policy requires that proposed changes to the policy must be presented by the AFA Cabinet to the Executive Council. Sean announced the formation of the Elections Policy Workgroup.

- He asked for members of the Cabinet to volunteer for the workgroup.
  - Volunteers included Steven Kessler, Wayne Downey, Leticia Contreras, and Casandra Hillman.
- The workgroup was charged with collecting ideas and insights from the Executive Council, AFA elected leadership, and AFA members. The information will be compiled and synthesized to develop discussion topics for the Executive Council.
- Should the Executive Council choose to enact any of the recommended changes, a two-thirds vote will be required.
- Ideas/suggestions may be forwarded to AFA's Office Coordinator or any Councilor.
- Questions & Comments
  - A member of the Election Policy Workgroup requested the opportunity to consult with legal to ensure the validity of any suggested policies.
    - ⇒ Sean stated that the AFA President is charged with providing access to legal counsel, as a budgetary safeguard. The Elections Workgroup may present a request to contact AFA's legal team during the policy review period.

**1. Discussion of Election Policy.** Sean initiated a discussion about suggested changes to the election policy. The suggestions will be shared with the Election Policy Workgroup for incorporation into future discussions. The current elections policy is available on the website (<http://afa-srjc.org/Policies/elections.pdf>).

- Suggestions for change and related comments:
  - Election Committee. Sean explained an idea presented by AFA's attorney, David Conway. It was suggested that AFA develop an Election Committee. The committee would be comprised of three persons that are a) not candidates in any active election and b) not concurrently holding any office. The Election Committee would be established by the Executive Council. Terms of service for persons in this role must exceed those of the officer/Councilor terms - a three-year or longer term. The committee will facilitate future elections and bring recommendations for alterations or changes to the elections policy as necessary.
  - More time to conduct a vote
  - Change the nomination process
    - ⇒ Sean commented that any change to the nomination process would be initiated by the workgroup should they choose to recommend it. Currently, when someone who hopes to have a leadership role runs in an election but they are not chosen, they remain eligible to run for another position. Elimination of this principle may allow for clearer deadlines around nominations.
  - In the event an open position is without a candidate, AFA could allow the vacant position to be filled at another meeting
  - Allow for debates about each position so candidates can address any concerns raised during deliberations
  - Develop guidelines for deliberation over candidates, e.g. held during open versus closed session, in presence or absence of candidates
    - ⇒ The attorney recommended closed session without candidates in room, though some expressed concern about candidates not being allowed in the room.
  - Create standardized interview questions regarding the work of the position and candidates' qualifications related to the work to allow for a more equitable deliberative process.
  - Create a single ballot system and conduct all voting at the same time. If someone wins two positions, they could resign from one and the runner up would obtain the position.
  - Update the appointment process currently allowed in the Bylaws to streamline the appointment process
  - Institute ranked choice voting

- Develop an appropriate timeline for nominations, debates, and elections considering the limit of the length of a semester
- Promote statements of interest in lieu of open discussion of candidates.
- Questions & Comments
  - A member requested a recap of the problem with the voting and was directed to the website to view the previous minutes.
  - A Councilor asked for a clarification of the reason to re-run the elections subsequent to the Conciliation/Grievance Officer election.
    - ⇒A: The TREG Negotiator candidates changed as a fallout of the CGO ruling. One of the TREG Negotiator candidates vacated after winning the Executive Vice President position. One of the unsuccessful candidates for CGO then ran for the TREG Negotiator position.
  - A Councilor asked if a single person can occupy multiple positions?
    - ⇒A: It is allowed.
  - A Councilor asked why the attorney suggested some of the election be completed in closed session.
    - ⇒A: The attorney suggested having deliberations over a candidate in closed session because those comments will be subject to a confidentiality agreement.
  - A Councilor questioned if all candidates are allowed to attend closed session, and stated a candidate should be present to speak on their own behalf.
    - ⇒A: This is a possibility.
  - Sean commented that campaigns may occur outside the confines of Executive Council meetings because AFA is not bound by the Brown Act.
  - A member of the Elections workgroup summarized the following key points.
    - Acknowledge there are specific concerns around candidates being in the space/or not
    - Determine the value of having discussions about candidates
    - Create a more equitable process for discussions regarding candidates that highlights experience and interest in the position.

### OTHER REPORTS

**1. President's Report.** This report was postponed due to time constraints.

The meeting was adjourned at 5:00 p.m.

Minutes submitted by Stephanie Simons.