



santa rosa junior college
All Faculty Association

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

EXECUTIVE COUNCIL MEETING MINUTES

October 26, 2022

(Approved by Executive Council on November 9, 2022)

Executive Councilors present (noted by *):

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

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

Staff members present: Stephanie Simons

The meeting was called to order at 3:04 p.m. in Student Center Conference rooms, on the Petaluma 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 4:00 p.m.

OPEN SESSION

Open Session reconvened at 4:04 p.m.

MEMBER CONCERNS WITHIN AFA'S PURVIEW

1. **Chemistry and Physics Resolution**. A member read a resolution issued in Sp22 by the faculty of the Chemistry and Physics departments. The resolution voiced objection to the STEM dean's intent to occupy an office in close proximity to the faculty in the new science building. Faculty are concerned that continuous daily interaction with the dean constitutes an out-of-cycle evaluation, that faculty are being displaced, and that use of the building for anything other than educational purposes is a misappropriation of Measure H bond monies. The member reported that the dean has not addressed the concerns.
2. **SLO Coordinator statement**. A member involved with the SLO assessment redesign process raised concern around aspects of the redesign procedure and policies for SLO assessment. The member is concerned that the process may result in inadvertent analysis of the entire college, not just SLOs. The interpretation of SRJC's accreditation note is that SLOs must be assessed in such a way that each student's data can be disaggregated by demographics. They expressed concern that this poses many problems, the least of which is that student success depends on students doing reading/homework, and the system offers no way to assess this factor.
3. **Student information on faculty personal computers**. The member expressed concern pertaining to lack of District policy or guidance regarding keeping academic/student information on personal computers.

4. SLO participation. A member found it disappointing that some do not consider the completion of SLOs to be important or serious. The member has found the data from SLOs to be an important measure of the quality of a course.
5. COVID-19 Faculty protections. In response to the District's recent policy changes, a member expressed concern that in-person instructors have little recourse to protect themselves from potential exposure to COVID-19. The member requested that instructors should be made aware of students in their classes who are exempt from vaccination, so that the instructor may require those students to mask. They also request that if a student shows symptoms of illness, the instructor be allowed to dismiss the student until such a time that they are symptom free, and if the student won't leave, the instructor should be allowed to leave. The member stated that the District was shown evidence of the legality to provide student vaccination exemption records to instructors, but the District chose not to comply. With the lifted mask mandate, season change, and the anticipated end to the vaccine mandate there could be a spike in cases of COVID-19, putting faculty teaching in-person at high risk. The member is concerned that dismissing faculty rights to a safe workplace could become a legal matter. The member asked that this be a topic of future discussion at the Executive Council meetings.
 - ⇒ An officer commented that the District does intend to end the vaccine mandate, but that the effects from that change must be negotiated by AFA before it is implemented.
 - ⇒ A Councilor commented that since the District took on the responsibility to manage the issue, the District should continue to manage the process.
6. Academic freedom. A Councilor reported that a colleague learned of a Student Equity 2.0 Survey that was distributed recently. The faculty member was concerned that there were no choices to pick regarding pre-transfer level Math and English classes. Those answers were logged into the "other" category. The committee reviewing the survey did not take those answers into consideration because the law does not allow faculty to teach pre-transfer level classes, however it is an important metric to track because students need it, and not addressing those responses is a violation of academic freedom.

MINUTES

A Councilor requested a correction to the minutes. A motion was made and seconded to approve the minutes, as corrected, from the October 26, 2022 Executive Council and General Membership meetings (17 in favor, 0 opposed, 0 abstentions). (Approved minutes are posted at <http://www.afa-srjc.org/minutes.shtml>.)

DISCUSSION ITEMS

1. AFA Representative to District-wide Committees: PDC. There is an opening for an associate representative to the PDC. Sean explained that this is an immediate vacancy due to scheduling conflicts. He asked for nominees for the vacancy. There being none, this vacancy will remain open until filled.

COUNCIL PRESENTATION

1. Negotiations Update. (K. Frindell Teuscher, AFA Chief Negotiator). K. presented an overview of the recent work undertaken by AFA's negotiations team.

- New contract for 2022-25
 - Tentative agreement was ratified in May 2022
 - New contract is currently being integrated
 - Gendered language is removed
 - Changes the term "adjunct" to "associate"
 - MOUs and changed articles can currently be found on AFA's website under Contract & Negotiations → [tentative agreement](#)
 - Open articles for 2022-2025
 - Automatic openers: Articles 1, 7, 8, 14, 17, 26, 30, 31
 - Opened by mutual agreement 13, 16, 29, 32
 - Opened unilaterally by AFA: 21
 - Additional articles may be opened mutually or unilaterally by either team – must be sunshined at two Board of Trustees meetings.
- Fall 2022 MOUs to date. K. provided the definition of MOU versus Side Letter. An MOU becomes permanent and is incorporated into the Contract. A Side Letter is separate from the Contract and has a limited duration.

- [SLO Coordinators special assignment](#) (2) – special assignments created to assist with reworking this process.
- [Dance program coordinator special assignment](#) – created to recognize work already being completed without being properly compensated
- [Side Letter: Unpaid leave option for contract faculty](#) – associate fac already have the option for unpaid leave. No prejudice as to the reason for the remainder of the year as long as they pay for part of their benefits.
- [Small change to PGI article](#) – correction of a mistake on accounting of PGI while on sabbatical
- Items on the table currently – AFA interests
 - Updates to Article 29 regarding faculty absences and substitutes
 - Revision of NOA form, with links to contract for ease of use
 - Removal of contradictions of when NOA is required: subs for hiring committees, contract faculty subbing for free (outmoded language, volunteering to work for free [could possibly be a waiver and could be removed]).
 - Clarification of substitute language
 - Revised Job descriptions for Counselors and Disability Specialists
 - Codify hours spent on student contact versus other required duties
 - SLOs in the Syllabus
 - These links are for accreditation purposes. AFA and the District are working to appease ACCJC.
 - Technology for Associate Faculty
 - The District has no ongoing budget or staff to ascertain or fill associate technology needs
 - AFA will help the District to gather data and make recommendations on the findings.
 - Proposed changes to PGI. AFA has a total of 11 proposals, to be addressed in increments of 3 at a time. The article is open until 2025.
 - PGI committee to approve whole activities rather than awarding approval to individuals
 - Automatic step movement after more than 4 years, rewarding longevity for those that do not complete the PGI process
 - Reduce required number of units in exchange for involvement in college service.
 - PGI is expensive and time consuming. AFA proposes to reduce the requirements to 10 units in exchange for checking off the box that college service has been done.
 - The current process favors faculty with time and money, which is demographically inequitable. In contrast, the management team automatically receives raises every four years. AFA would like faculty to have the same longevity steps.
- In process or awaiting response from the District
 - Compensation for faculty acting as a Teaching Fellows Mentor only benefits step 16 or higher. AFA wants an equivalent amount of pay in lieu of 5 units of PGI.
 - Provisions for absence during tenure review
 - DEIA Training requirements – AFA proposed that the District compensate faculty for DEIA training using the six hours of pay previously allotted to the departmentally-determined PDA day
 - Class size requirement – AFA will negotiate with the District regarding this Senate Task Force recommendation.
 - CE Coordinator Compensation – The current contract language regarding payment is open to broad interpretation, and needs to be better defined
 - Post-pandemic Side Letter provisions that could be added to the contract:
 - Modifications to office hour modality
 - Self-evaluation option – Self-evaluations end in spring. AFA will consult with the Senate to discern how this option can be made permanent.
- Questions & Comments
 - Q: How many additional articles can be opened and what is “sunshining?”
 - ⇒ A. Up to three additional articles per contract cycle can be unilaterally opened. Sunshining means notifying the Board and the public we want to open the article and giving them an opportunity for comment, and it takes two board meetings to complete the sunshining process.
 - ⇒ Does the District have that right as well?
 - ⇒ A: Yes. They also can open up to three articles per year.
 - Q: Regarding SLO’s, how much extra time will it take to disaggregate the information?
 - ⇒ A: The information must be processed by a specialized software. The District is in process of reviewing bids from software companies.

- Q: Does the new PGI option allow for people in column A to advance?
⇒ A: Not currently, but AFA has an interest in changing it.
- Q: When is the soonest we can benefit from the changes to PGI? 2025?
⇒ A: The changes can occur as soon as Fall 2023, if included in an MOU.
- Q: Many side letters were made regarding the pandemic, will any parts of these become permanent?
⇒ A: K. would like parts of these to become a disaster article addressing what to do in case of fires, earthquakes, pandemic, and so on. Previous side letter language can be used to prepare this type of article. Some provisions from the side letters have been made permanent, including a spring option for PGI.
- Q. What is the department PDA day?
⇒ A. There was an extra teaching day in spring, so to make days even, they created the Departmental PDA day. It has been replaced with an extra six hours of flex starting with the 2023-2024 calendar.
- C: Pay/salaries were discussed at CCCI. Our district is already at Rank 10, so we didn't see as much of a raise as some other districts. Due to the governor's budget allocation this year, some schools received larger than usual raises. For example, the Chabot-Las Positas District received an 11% raise and that will likely help our faculty next year via Rank 10.

OTHER REPORTS

1. President's Report. Sean thanked the visitors who joined the meeting in person and on Zoom. He then reported on the following.

- CCCI report highlights. Attending this conference allows AFA to meet and confer with colleague independent unions, attorneys, and representatives from FACCC. Member dues make travel possible.
- FACCC. Director of FACCC, Evan Hawkins, provided information regarding the contributions that FACCC has made to specific legislation. AFA does not have a contract membership in FACCC. Individuals are encouraged to independently join FACCC.
 - FACCC and AB 1705. FACCC successfully requested Governor Newsom add an additional \$65 million of support. However, this is one-time money and there will be a need to advocate for a permanent funding. Disbursement is pending.
 - Outside philanthropic groups. FACCC brought to light the many philanthropic groups (e.g. California Competes, the Campaign for College Opportunity, the Lumina Foundation, and others) that have contributed to the reduction of faculty participation invited at the Chancellor's office and at the legislative level. FACCC continues to build the relationship with legislators and the CCC Board of Governors.
- Impacts of AB 1705. At CCCI, we also met with a lead researcher from the Public Policy Institute of California (PPIC) who shared their findings. Initial data from studies on the impacts of AB705 have been somewhat promising in that more students are passing transfer level Math/English courses than before AB 705 was passed. However, though the study has found increased numbers of students are completing transfer level Math/English, many more are failing. It is not clear that a greater percentage of students enrolled in transfer Math/English are succeeding than prior to the change, and in fact some of the groups that the law is intended to benefit saw a decreased ratio of students passing. There are significant gaps in the data that make any reasonable assessment of the AB705 (and by extension, AB1705) premature. CCCI is imploring the Chancellor's office and research organizations such as the PPIC to gather data on what happens to those students that fail, those students that drop prior to Census, and those students who left the system rather than being forced into a transfer level class they felt unprepared for, and if it contributes to the state-wide reduction in enrollment.
- Legal Counsel. AFA representatives met with the attorneys, Bob Bezemek and David Conway. AFA works with both attorneys because they each have expertise that AFA benefits from.
 - Topics of discussion included: right of assignment, cease and desist letters, rules on masking and vaccinations, grievances that employ references to past practice, how to recoup legal fees from the District if ever AFA were to bring PERB charges to District.
- District Reports. Every District gave reports about negotiations and relations on campus. There were many reports of concerns around enrollment management. In some instances, the union is the primary group responsible for enrollment management along with the district, while others make it a collaborative effort similar to SRJC.

- Workload issues. Online courses were a common topic. Of particular interest, Santa Monica College is conducting a ten-person pilot project for HyFlex. Faculty receive 50% reassigned time for preparation during summer, double load during the year of the pilot project, and an additional 50% load for the following semester. This year-long pilot program is a result of union negotiations.
- Bypassing. AFA's K. Frindell Teuscher was acknowledged for successes in curbing direct dealing via the creation of special assignments. Other districts, including CCCCC, have begun a similar process.
- Differing standards for Counseling. There is a state-wide occurrence of a disparity in standards relating to counseling departments being required to hold in-person office hours.
- District Superintendent/President search. AFA has asserted the intent to be a part of the candidate search process, and encourages all faculty to participate in any forums or other activities related to the search.
- College Council survey. College Council is engaged in an effort to rework shared/participatory governance. A survey is expected to be sent to committee chairs. Chairs are asked to complete the survey with the input of all respective committee members. AFA's goal is to make sure matters within the scope of representation are not discussed in shared governance. Holding this line of demarcation stops bypassing and ill-will between the constituent groups and ensures faculty rights to exclusive representation in negotiations are preserved. AFA is an unwavering supporter of Academic Freedom and regularly defends the faculty's exercise of this right. Faculty members are in no way prohibited from free and open discussion on any topic, including matters that fall within the scope of representation. But Academic Freedom does not include the right to address matters within the scope of representation directly with district representatives. Doing so undermines/bypasses the right of all faculty to exclusive representation in negotiations. Building support for particular solutions on negotiable matters stacks the deck against the union and sometimes sets up a sub-set of faculty voices against the interests of the body as a whole. PERB has ruled that, since shared/participatory governance bodies are created by and include district representatives, discussion of these matters in those bodies constitutes "supporting and bargaining with a rival employee organization." (PERB 1073, SEIU v Ventura CC).

So, how are faculty to employ their Academic Freedom on such matters if not in Shared/Participatory Governance bodies? First, faculty are entirely free to discuss these matters among themselves or with anyone who does not represent the District. For instance, such matters may be discussed openly in AFA meetings or in any AFA venue (e.g. listening sessions, through communications with AFA representatives, or with the AFA office). We welcome and encourage input from our unit members on any topic within the scope of representation. Department meetings or gatherings of faculty members that do not include district representatives are also an appropriate venue. The goal of such discussions should always be to help inform AFA of faculty interests so that we can better represent the whole faculty in negotiations with the district. AFA takes seriously its obligation to hear from all of our unit members on matters that impact their working conditions. We listen carefully and engage in principled deliberation on matters where there exist competing concerns among our members. Our goal is to meet the needs of all unit members, but when conflict is unavoidable, we work to minimize any negative impacts while ensuring the body as a whole is served by its exclusive representatives.

Sean concluded by thanking those who attended and contributed to the discussion.

The meeting was adjourned at 5:06 p.m.

Minutes submitted by Stephanie Simons.