



The Advocate

A Giant's Strength

"If liberty means anything at all it means the right to tell people what they do not want to hear." George Orwell

You may be surprised to see a new edition of *The Advocate* under your door in June. If you are a regular reader of our newsletter (and if you are, we are deeply grateful for your interest), you know that we generally publish four or five editions during the 9 month school year and take a sabbatical for the summer. However, some events have occurred that need a response that we believe cannot wait until September.

As you may know, among our many activities, we address the Board of Trustees at their monthly meeting. It has been my privilege to speak, during the public comment period, on behalf of the union for a couple of years on topics agreed upon by representatives of the Executive Board of AFT- Lone Star College that impact full-time and part-time faculty, staff and, ultimately, our students. In recent months, my colleagues and fellow AFT members Elise Sheppard, Earl Brewer and Katie Olson have joined me at the podium to increase the voice of employees. Also, for the April and May Board meetings, we have made an appeal to employees to attend these meetings to observe respectfully and show their concern for the life of the college. LSCS Board of Trustees meetings are public and open to all citizens. We are pleased that 45 of your colleagues attended the April meeting and, even though it was the week before Final Exams, 17 attended the May meeting.

Since last August, the public comment period of the board meetings has been scheduled last on the agenda. Therefore, although the meetings officially begin at 5:00 PM, we have suggested that employees arrive around 5:30 when the Board usually goes into executive session. To our surprise, Board Chairman Dr. David Holsey began the May 1 meeting with a disclaimer

that the Board cannot engage in collective bargaining and stated that he had decided that public comments would go first that night. The union members scheduled to speak were ready to go, but many of the employees who wanted to come weren't there yet. Two other speakers (public citizens not associated with AFT) had not arrived yet and lost their chance to speak.

The collective bargaining reference was a surprise to us all, as it is widely known that public employees in the State of Texas do not have collective bargaining rights—a fact that the AFT has emphasized in numerous settings. It would be at the end of the meeting that we would find out why this reference would be important.

As the Board meeting came to a close, Dr. Richard Carpenter, retiring LSCS Chancellor, asked to make some closing remarks given that this would be his last Board meeting before his retirement. Later in this issue you will find a transcript of a portion of his address. The AFT encourages you to read his remarks carefully. These remarks include some kind words about the Faculty Senate but also a warning to the Board of Trustees not to overly involve itself in administrative oversight and, in an aside to the Executive Council (college presidents and system vice-chancellors), not to expect the chancellor to always make decisions they can support.

A significant part of the speech was directed against those who write "misleading articles seemingly aimed at dividing the Lone Star family," who engage in "emotional outbursts" and "personal attacks." Making the target of his comments more explicit, he accused the AFT of "demonizing the chancellor and the administration" and "employing scare tactics." All of the issues of *The Advocate* are posted on our website www.aftlonestar.org going back to the 1980s, as are all of the talks we have delivered to the Board of Trustees since December 2013. In addition, the February, April, and May meetings

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of the Board of Trustees have been videotaped and may be viewed online at www.lonestar.edu/22736.htm. We both welcome and encourage all Lone Star employees and the public to read and listen to anything we have written or said and make your own judgment. You can also watch the chancellor's address at this site.

After the meeting was over, Executive Vice-Chancellor Rand Key handed AFT president Alan Hall a letter written by Drs. Holsey and Carpenter accusing the AFT of attempting to engage in collective bargaining by inviting a Trustee to an open forum that was advertised publicly as open to all employees (faculty, staff and administration, union members or not) and accusing the AFT of calling for "mass demonstrations . . . intended to be disruptive to the normal operations of the System" by encouraging employees to attend the Board meetings. Drs. Holsey and Carpenter conclude their letter by threatening to file suit against the union if we persist in encouraging this type of employee involvement. The full text of this letter, as well as the AFT's official response, is reprinted in this issue. We invite you to read both of those letters in their entirety so you can make your own judgments.

If you have patiently read through this article so far, you may be asking yourself why these matters should be important to you.

As a public entity, it is crucial that the workings of Lone Star College System must be transparent and open to public review and comment. As an institution of higher learning, it must be run with collegiality and a commitment to shared governance. Especially in an era like ours of rapidly changing expectations and shifting resources and in an institution like ours of massive size and complexity, it is only through frank, honest and open dialog that we can find the solutions that will meet the needs of our diverse student body and of the communities from which they come.

If the leadership of the institution attempts to squelch communication, particularly between the employees who provide the services our students and community need and the Board elected by that community to oversee the institution, by calling it collective bargaining, they either seriously misunderstand collective bargaining or are afraid of where the communication will lead.

If the leadership of the institution so fears its employees that they see their presence at a public meeting as a mass demonstration, there is little hope of "building a relationship," as the Chancellor advocates.

If the leadership of the institution will play with the schedule of the agenda of an open meeting to thwart members of the public from speaking, it will be difficult for taxpayers and students to trust in the transparency of the organization or to know that their interests are fairly considered.

The AFT is not intimidated by threats of legal action. Later in this issue, we will outline the efforts we have made through the years to establish an open dialog. Mostly, we are saddened that this is the approach that the administration of the college has chosen at the twilight of Dr. Carpenter's tenure. It is clear that we have a long way to go to reclaim the kind of college we once had. More so, it concerns us greatly that an entity that would choose intimidation against one person or group could easily use the same tactic against another. Prime examples are the former faculty senate president of Montgomery College who was fired for disagreeing with his Vice President of Instruction and the faculty senate vice president of the same college who was abruptly reassigned to another college. Who would be next? Quoting from William Shakespeare's *Measure for Measure*,

It is excellent
To have a giant's strength
But it is tyrannous
To use it like a giant.

The American Federation of Teachers is a voluntary affiliation that represents full-time faculty, adjunct faculty, full-time and part-time support and professional staff and even administrators up to the level of dean. The issues we address are serious and include concerns as diverse as policy and wage inequities for our employees as well as decisions that impact the success of our students. The officers of the union get neither a dime of compensation nor a minute of release time from their duties as faculty and staff. The dues we gather provide valuable services for our members including costly legal defense for many whose rights have been violated by the very college they serve. We deeply value the relationships we have with our members and other employees and with numerous administrators and Board members who will engage in dialog with us. We hope to have a strong relationship with our next chancellor. We operate in openness and transparency and we will not stop speaking up for the rights of Lone Star employees and the students they serve.

Therefore, we have provided for your reading and consideration both the Chancellor's claims and our respectful response so you may read and judge objectively for yourselves. In closing, consider the following words from Henry David Thoreau's *Civil Disobedience*. Substitute the phrase "College System" for "State" and you will see our vision.

"There will never be a really free and enlightened State, until the State comes to recognize the individual as a higher and independent power, from which all its own power and authority are derived, and treats him accordingly."

John Burghdoff
Professor, LSC-CyFair



(Editor's Note: The following is a letter to Alan Hall from Dr. Carpenter and Dr. Holsey.)



May 1, 2014

Alan Hall
President, AFT Lone Star College
P.O. Box 788
Spring, Texas 77383

Via Hand Delivery

Re: Real Pay for Real Work! Stand with AFT Lone Star on 5/1/14

Dear Mr. Hall:

We recognize that some Lone Star College System employees are members of the American Federation of Teachers (AFT) and have elected to pay AFT organization dues.

Lone Star College System ("the System") has always tried to accommodate our employees. However, AFT's repeated attempts to force the System to recognize AFT as a labor organization regarding labor disputes, i.e.; "Reclaiming the College" Open Forum on April 24, 2014 (See Exhibit A) and "Real Pay of Real Work! Stand with AFT Lone Star on May 1, 2014 (See Exhibit B) are violations of Texas law, specifically Texas Government Code §617.001 and 617.002 which prohibits AFT as a labor organization in illegal collective bargaining negotiations on behalf of LSCS employees.

Despite being made aware of the law, AFT persists in encouraging a result that can never happen under Texas law: collective bargaining. Just last week you held an open forum where you attempted to engage a System Trustee to recognize the AFT's attempt to "Reclaim the College" by placing a Trustee in legal peril and misleading employees into believing that their labor disputes would be heard by the System. Our Trustees recognize Section 617 of the Texas Government Code and should not be parties to; nor be baited by AFT into illegal collective bargaining.

If fostering a continued air of cooperation between our respective organizations is something AFT values, be advised that the System has great concerns with AFT's call to arms. Attempting to fill the May 1, 2014 Board of Trustees Meeting to disrupt the normal business of the Board is an attempt to bargain for:

"Real Pay for Real Work" by communicating "we [AFT members] deserve to be paid fairly" and "we [AFT members] need to fill that board room to let them [the LSCS Board of Trustees] know that AFT is not just a select few."

AFT's motive and call of mass demonstrations is in direct violation of Texas Government Code § 617.002.

Please realize that the System remains committed to recognizing and supporting the rights of free speech and the free exchange of ideas. Notwithstanding the System's



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commitment to free speech, the System remains equally committed to asserting its rights to reasonably regulate the use of the System's space for acts that are intended to be disruptive to the normal operations of the System or that impermissibly invade the rights of others.¹

As you know, under Texas law, the System is prohibited from collective bargaining with public employees (with limited exceptions not applicable here).² The prohibition is very clear:

An official of the state or of a political subdivision of the state may not enter into a collective bargaining contract with a labor organization regarding wages, hours, or conditions of employment of public employees.

Tex. Gov't Code § 617.002 ("Collective Bargaining by Public Employees Prohibited"). This has been clear under Texas law since 1947³. Indeed, even the Fifth Circuit Court of Appeals has recognized that is Texas law.⁴ The statute has also survived First Amendment challenges and Equal Protection challenges.⁵ It is a clear statute with an equally clear purpose: foreclosing public officials, like System Trustees and Presidents, from collectively bargaining with unions. System employees that engage in collective bargaining with unions, or even those that might appear to be doing so, expose not only themselves to legal liability, but also expose your organization and ours.

We understand that AFT's purpose in attending the meeting en masse is to seek redress for perceived wage deficiencies on behalf of its members. It is hard to conceive how such action is not an attempt at unlawful collective bargaining between our organizations.

The law is equally clear in this area. While individual grievances are permitted, en masse petitioning exposes the System to legal liability. Permissible grievances are the claims of individuals, but efforts to permanently change the future rule of employment for everyone, is collective bargaining.⁶ For this reason, the System has provided a method which encourages an open atmosphere of communication where employees may discuss their problems and concerns with management.⁷

Please reconsider your support for any open forum that suggests collective bargaining between our organizations over conditions of employment. A mutually beneficial relationship cannot continue if you persist in such a position. The System remains

¹ LSCS Policy Manual II.D. 1.09 – Use of College or System Space for Activity

² See Tex. Gov't Code § 617.002 (Vernon 2003).

³ Initially ratified as part of the Texas Right to Work Law, Article 5154c, it has since been repealed and moved to Texas Gov't Code § 617.002.

⁴ See *Faculty Rights Coalition, v. Shahrokhi*, 204 Fed. App'x., 2006 WL 3147315, at *1

⁵ *Ibid.*

⁶ See *Hughes Tool Co. v. N.L.R.B.*, 147 F.2d 69, 72-73 (5th Cir. 1945)

⁷ LSCS Policy Manual IV. F. 10 Review and Grievance Process



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committed to supporting the free exchange of ideas with its employees through the numerous channels our policies and the law allow. However, the law simply prohibits the System from collective bargaining with AFT over compensation issues or any other employment terms.

Should AFT persist in this endless campaign to engage the Board of Trustees into bargaining over employee terms of employment, the System will seek a declaratory judgment action by filing a lawsuit. We will also seek attorneys' fees and sanctions for having to go through the process of getting a ruling on a matter that is so conspicuously clear. We will also seek an advisory opinion from the Attorney General of Texas regarding the matter.

The System will no longer be passive in this regard and will not allow AFT to violate the law.

Dr. Richard Carpenter
Chancellor, Lone Star College System

Dr. David Holsey
Chair, Lone Star College System
Board of Trustees

Enclosures

Cc: Brian S. Nelson
Lone Star College System, General Counsel

Jacob Monty
Monty & Ramirez



(Editor's Note: The following is Hall's response to the Carpenter/Holsey letter.)



A Union of Professionals

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May 9, 2014

Dr. David Holsey, Chair

Lone Star College System

Board of Trustees

Dr. Richard Carpenter, Chancellor

Lone Star College System

Re: Your letter Dated May 1, 2014

Gentlemen,

I read your letter of May 1, 2014 with great interest. After consultation with the union's general counsel, it appears that your assertions are incorrect. I fear that whoever is counseling you on this matter has taken too great a creative license with the law and the cases you cite.

This issues is resolved by the First Amendment to the United States Constitution which states:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or **abridging the freedom of speech**, or of the press; or the right of the people peaceably to assemble, **and to petition the Government for a redress of grievances**. (US Constitution, Amendment 1, emphasis added.)

The Texas Constitution provides similar protections:

Every person shall be at **liberty to speak**, write or publish his opinions on any subject, being responsible for the abuse of that privilege; and **no law shall ever be passed curtailing the liberty of speech** or of the press. (Texas Constitution, Article I, Section 8, emphasis added.)

As you can see from the bolded text the framers of the constitution protected the right of the people to gather at your board meeting and address matters of concern. For instance, the First Amendment protects their right to come to the board meeting and discuss "Real Pay for Real Work", or any other issue they like.



The sections of the Texas Government Code cited in your letter place no limitation on the right of the people to speak at your public meetings. Furthermore, you cite two cases: Faculty Rights Coalition v. Shahrokni and Hughes Tool Co. v. NLRB. Neither of these cases supports the position you claim. Shahrokni merely holds that a state university employee does not have standing to challenge the constitutionality of V.T.C.A., Local Government Code § 617.002. This statute prohibits political subdivisions from entering into collective bargaining agreements with labor organizations or recognizing labor organizations as bargaining agents for public employees. AFT has never asked Lone Star College to enter into any such agreement. Next you cite Hughes Tool Co. This is a cause of action wherein a private sector employer is challenging when and under what circumstances it has to recognize a labor union and collectively bargain. Neither of these cases supports the propositions you state in your letter.

A Texas Attorney General's opinion defines collective bargaining as:

Section 1 prohibits officials of political subdivisions from entering into "a collective bargaining contract with a labor organization respecting the wages, hours, or conditions of employment of public employees." In our opinion, the term "collective bargaining" necessarily contemplates a process in which officials of a political subdivision and representatives of a labor organization conduct negotiations with an eye towards reaching a binding, enforceable, bilateral agreement between the subdivision and the organization. Case law supports this view. In Consolidated Edison v. National Labor Relations Board, 305 U.S. 197, 236 (1938), for example, the United States Supreme Court described Congress's provision for collective bargaining in the National Labor Relations Act of 1935 as having the "manifest objective" of "the making of contracts" between employers and labor organizations. (Mattox Opinion No. JM-156)

To be clear, AFT Lone Star has never claimed a right to strike or attempted in any fashion to collectively bargain. Inviting concerned citizens and faculty members to participate in a public meeting has never been held, by any court, to be an attempt to collectively bargain. It is, as shown above, activity that is protected by the United States Constitution and Texas Constitution.

Finally, you threaten to file suit against the AFT if they continue to invite concerned citizens to the board meetings. Please be advised that, if the college does so, the AFT is prepared to defend itself vigorously from what we believe will be nothing better than a frivolous law suit.

Alan Hall, President

AFT Lone Star College

cc: Chris Tritico, General Counsel, AFT Lone Star College

Board of Trustees Members



Chancellor's Farewell Speech

(Editor's Note: At the May 1, 2014 Board of Trustees meeting, the Chancellor asked for time at the end to offer some remarks. It began in the traditional way, acknowledging what a great experience Lone Star College has been for him and thanking various individuals and groups. Some of his remarks were not typical of a swansong. Below are excerpts with some commentary. The full text may be heard at <http://www.lonestar.edu/22736.htm>. Select May 2014 (Part II) and start at 1:01, and hour and one minute into the meeting.)

From day one you, the Board, empowered me as Chancellor to move at a pace of business and while there is a natural resistance to such in academia few would deny the remarkable institutional achievements and the national prominence that we have collectively attained. [. . .]

Now I want to turn your attention to the chancellor search. [. . .] I must urge the Lone Star family to shift your mindset a bit. I've heard much discussion about what you want in a new chancellor, and I've seen surveys about "Building a Chancellor." But as this search unfolds, I urge you to think less about building a chancellor and more about building a relationship.

The strongest among your finalists will undoubtedly have options other than Lone Star, just as I did, so remember that as you are evaluating them they will also be evaluating you. While you've had an abundance of discussion about what you want, let me give you some advice about what your candidates will want, and I know this because these are the kinds of questions they are now asking of me. First, they want to know how the board functions. While some of our Lone Star family may want the board to function more as an administrative oversight committee, that is simply not the board's function. In fact, a sister college close by had their accreditation placed on suspension by SACS when their board ventured into the administrative arena.

Another thing they ask about are [sic] the weaknesses of Lone Star. Due to your national prominence, they tend to have a very high impression of you so they want to know if and how they could make a difference if they came here. Without question, the most prevalent inquires from candidates tend to center around our institutional culture. [. . .] Seasoned candidates also know that every institution has minor dissension within its ranks, and they want to know how we address that. I think you have a very successful model in place, particularly as we look to our Faculty Senate leadership. That's why they are a part of the formal agenda for every board meeting. One could say that they represent the silent majority at Lone Star, and let me hasten to remind all that as an inclusive institution we must acknowledge the importance of listening to a vocal minority as well. While the AFT, for instance, collects dues to represent the interests of

some 217 or more faculty, our faculty senate leaders are elected by their peers to represent all 4,000 faculty. And hear this, both points of view are important.

I want to take a moment here again to commend the faculty senate presidents. During our lunch this week we discussed the importance of engaging more of our faculty in the shared governance process. Remember, this is the faculty that, for three years straight, ranked Lone Star as one of the best colleges in the country to work for and contented faculty by their very nature often comprise the core of the silent majority. But let me say more about our faculty senate presidents. This past year we've had an exemplary team of six passionate and caring faculty leaders. I have tremendous respect for each of you and I have learned much from you, and I take the opportunity to publicly thank you, for to me you epitomize the institutional culture that your candidates for chancellor will be looking for. Now people, don't get me wrong, our faculty senate presidents don't always agree with each other and they don't always agree with me either, but it's how we address our disagreements that has so earned my respect.

You see, we address our differences not through personal attacks or emotional tirade but through intellectual discourse in a give-and-take environment of mutual respect, civility, and maturity. I want everyone here tonight to know that I love Lone Star and I love all the dedicated people who work so diligently to make Lone Star the very best.

That said, in closing, I draw from my forty-year career to offer all of you some advice to how you can take Lone Star to the next level. First, stop maligning the administration. Personalizing differences rarely achieves its objectives, and I've come to observe in life that the pursuit of vengeance for another rarely impacts the target so much as it does the source. Instead of publishing misleading articles seemingly aimed at dividing the Lone Star family, choose instead to join together with the vast majority of other faculty and staff who've rejected such division in favor of unity. Substitute intellectual discourse for emotional outburst.

Seek common ground, and be willing to compromise. A sad example of the my-way-or-the-highway approach can be seen in the dysfunction of our federal government in Washington. We are better than that. When you disagree, identify the points of disagreement, address the differences, and clearly articulate them. Demonstrate the maturity of restraint. Resist the urge to launch personal attacks against those with whom you disagree, and realize that under current laws and regulations not every decision can be publicly explained to everyone's satisfaction.

To the AFT leadership, I hope you will seize this opportunity to reevaluate your approach. Demonizing the chancellor and the administration, and employing scare tactics is destructive



and is more reflective of a yesteryear approach to the national AFT's approach to recruitment strategy. We understand your desire to increase your membership, but experience has taught us that there are more constructive ways to do so. You have some very good talent in your ranks. In particular, I'm thinking of the work that John Burghdoff did that helped me redefine student success at the state policy level. I know you care about Lone Star and about our students, and I hope you will use your talents to define a more collaborative relationship with your next chancellor.

To everyone, including EC, be ever mindful that a chancellor is rarely afforded the opportunity to make only popular decisions that everyone will support. The job of chancellor is not an easy one and often painful decisions must be made in the best interest of the college. Try to reserve judgment until you are full equipped with the facts, and even then be less harsh on one another when you simply disagree. Next, I urge you to begin anew with a pledge to one another to focus a bit less on the me of self interest and more on the we of your college as a whole. Most importantly, I urge you to maintain as your primary goal that of student success. Yes, you must always value the roles of faculty and staff and administrators, but be ever mindful that Lone Star was not built nor is it funded by the taxpayers today for any of us in this room. This college was put here for students. In conclusion, I want to reiterate the importance of approaching the chancellor search process—well—not unlike a courtship. Remember that your top candidates will be just as interested in evaluating you as you are in evaluating them.

Lastly, let me say that, again you've heard me say this before, that the opportunity to lead is granted not by titles but by those who choose to follow, and here at Lone Star I was surely blessed as so many chose to follow.

Thank you.

Hall's Response to Chancellor Carpenter's Farewell Speech

At the May 1, 2014 Board of Trustees meeting, the Chancellor asked for time at the end to offer some remarks. LSCS's official video recording of the meeting is available at <http://www.lonestar.edu/22736.htm>. To view Dr. Carpenter's address, select May 2014 (Part II) and start at 1:01, an hour and one minute into the meeting. His remarks began as a traditional farewell address, acknowledging what a great experience working at Lone Star College has been for him, thanking various individuals and groups, and giving advice about how to select and work with our next chancellor. However, I believe many people in the audience were surprised as his address took a darker turn.

I have decided to publish for our readers the portion of the transcript of Dr. Carpenter's address relevant to concerns the AFT has, and also to respond to some of the issues he raised, frankly pointing out my agreements and disagreements. In my response, I will focus on five points.

First, AFT leadership resoundingly agrees with Dr. Carpenter's emphasis on the importance of building relationships. We have worked hard to nurture a relationship with him, but at times it has been admittedly difficult. In 2011-2012, Dr. Carpenter met with the AFT Lone Star Executive Board a few times, and those meetings seemed productive to us. But then Dr. Carpenter cut off contact with AFT leadership without explanation. After some time, he invited me to lunch where said he was wrong to cut off communication. I was pleasantly surprised by Dr. Carpenter's admission, as he asked to begin meeting with us again. All of the AFT leaders welcomed the opportunity. In our first meeting, which seemed like the best one we'd had so far, Dr. Carpenter asked us to provide dates a year in advance to schedule meetings so that he could get them on his calendar early. Out of recognition for his busy schedule, we gladly complied. However, when I called his office the afternoon before the first scheduled meeting to verify that it was still on, I was told, "He's traveling." The eighteen AFT officers who had planned to attend the meeting were surprised to hear that it was apparently cancelled without notice. Although we continued to welcome future meetings, my repeated efforts to schedule them were all rejected by the Chancellor's office.

Some have suggested that Dr. Carpenter stopped meeting with AFT leaders because of articles in *The Advocate*. Although he mentions our "misleading articles" in his farewell address, we believe a chancellor should be open to respectful disagreement. As Dr. Carpenter mentioned in his February 7 email to all employees announcing his retirement, the job of the chancellor requires "a thick skin."

We never claim to know all of the truth in our articles, but we always do our best to research issues before we write about them. Certainly, *The Advocate* has addressed difficult issues. It should be clear to any impartial observer that, as a labor organization, the AFT cannot remain silent about certain issues without betraying its members. The truth is that AFT leadership believes Lone Star College's grievance process is severely dysfunctional, and that it particularly victimizes staff, our most diverse group of employees. We have documented that problem for Dr. Carpenter and for the Board of Trustees. AFT leadership believes the LSCS grievance process is one of the issues the EEOC is investigating right now, and AFT leadership strongly disagrees with Dr. Carpenter's recent decision to authorize outside counsel to file a lawsuit that asks a federal judge to stop the EEOC, a federal law enforcement agency, from performing duties required of it by federal law. The EEOC has no choice about investigating every complaint it receives, including third party complaints. We fear that LSCS



will be stuck with bad publicity and large legal bills for this lawsuit for many years to come and sincerely wish Dr. Carpenter had resisted taking such radical action since he had already announced his retirement. At minimum, AFT leadership believes that Dr. Carpenter should have discussed that option with the full Board before he committed the college to a protracted legal battle with the federal government. I personally fear that this lawsuit will be a major problem for our new chancellor. AFT leadership also believes that the Board overreacted to recent changes in the law by cutting workload rules for adjunct faculty on the advice of LSCS Human Resources. Additionally, AFT leadership believes that the recent reclassification of employees is flawed, especially for staff. We believe that salary compression has become a serious problem and that our full-time/part-time faculty ratio is also a serious problem for our dedicated adjunct faculty and for student success. These are the kinds of issues we have addressed in recent issues of *The Advocate*. The AFT will always address issues like these forthrightly, precisely because it is a labor organization that is obligated to represent its members.

Second, the AFT agrees with Dr. Carpenter that we have had some excellent Faculty Senate Presidents over the last seven years. Roughly half of the Faculty Senate Presidents have been AFT members. Their jobs have been difficult and unusually stressful, particularly since one Faculty Senate President was fired. Nevertheless, they have courageously continued to represent full-time faculty to LSCS administration.

On the same note, I also thank Dr. Carpenter for his positive comments about John Burghdoff's hard work as chair of the system-wide Student Success committee. Many people deserve praise for their work on that committee and on collection of student learning outcome data in subsequent years. We are pleased that Dr. Carpenter was able to use the work of the committee "at the state policy level." All AFT leaders do care deeply about Lone Star College, many of them committing decades of their lives to this institution.

Third, AFT leadership could not agree more with Dr. Carpenter's statement about the best ways to resolve disagreements. In the pages of *The Advocate*, the AFT has avoided personal attacks, and frequently reminded readers that we're all on the same team, dedicated to student success. I have always believed that it is in the best interest of LSCS administration to work with AFT officers on the fair treatment of all employees because a positive work environment helps us serve students better. In *The Advocate*, we have also always encouraged employees to focus on their common goal of student success when they disagree with one another, because doing so helps us reach compromises. We have attempted to model this approach when we mediate disputes between employees and their supervisors. Indeed, in his meetings with our Executive Board, Dr. Carpenter graciously acknowledged many times that AFT officers have a good track record of helping resolve disagreements at the lowest level without escalation. I am proud of that record.

Fourth, I agree with Dr. Carpenter's emphasis on compromising with others. Fairly recently, AFT leadership agreed to a compromise with Dr. Carpenter when we met to discuss the major controversy at LSCS-Montgomery. We began the meeting by respectfully proposing what we believed was a reasonable solution to those problems. Dr. Carpenter rejected our proposal, but all of us agreed to his counter proposal, which was to hire an outside mediator. We also offered that the AFT would pay for half the cost of the mediator. We were very specific about how soon the mediation would be scheduled and about who would participate in it. A few days later, without any explanation, Dr. Carpenter pursued an entirely different path, firing the Montgomery College Faculty Senate President and transferring another faculty member to a different LSCS college. Unfortunately, Dr. Carpenter's abrupt reversal of this compromise was harmful to our relationship with him.

Fifth, Dr. Carpenter in his address admonished AFT leadership to reevaluate its approach. It will be easy for the AFT to avoid "demonizing the Chancellor and administrators, and employing scare tactics" because we have always rejected those tactics. Identifying a situation that is problematic and the individual responsible for it is a stating a fact and not demonizing. Although we always focus on recruitment of new members, we have struggled at times to process all of the applications we have been receiving. Our rapid growth has allowed us to pursue our defense of employee rights more vigorously. The AFT is significantly larger than Dr. Carpenter realizes, and it troubles me that he neglects our representation of staff. Many of our staff have substantial contact with students and all provide essential support for faculty and administrators. One of my primary concerns is that, for years, the AFT's numerous articles and addresses on the fair treatment and compensation of staff have fallen on deaf ears.

I encourage readers to view the AFT's approach for themselves by using the link at the beginning of this article to watch three AFT officers address the Board of Trustees in the same meeting. To view those address, select May 2014 (Part I) and start at 18:15 (eighteen minutes and fifteen seconds). Earl Brewer spoke on problems and inequities growing out of the reclassification of employees that was led by Evergreen Solutions, Katie Olson spoke on compression of the faculty pay scale, and John Burghdoff spoke on adjunct faculty workloads. I believe that you will find their presentations grounded in "intellectual discourse" reflecting "mutual respect, civility, and maturity." As AFT President, I am proud of these officers' presentations and encourage readers to view the AFT presentations in previous Board meetings as well.

Finally, I am frankly chagrined that Dr. Carpenter ended his farewell address with criticism of the entire college community, specifically mentioning his own Executive Council. I hope LSCS employees will not remember Dr. Carpenter primarily for this final jab or for LSCS's undoubtedly long-term problems with the EEOC. Rather, I hope all of us will focus on the tens of thousands of students we have successfully worked



with during Dr. Carpenter's seven-year tenure at LSCS. He is correct to emphasize that our success has been due to the work of thousands of dedicated employees.

As the LSCS Board interviews candidates, I hope it will remember that bold action and rapid change can be counterproductive when the long term consequence of decisions are ill-considered, or made in a vacuum, without input from workers on the ground. Over the past thirty years, AFT-Lone Star College has worked with four generations of administrators. Our values remain consistent. We believe that employees' voices should be heard. We believe that employees should be treated fairly. We believe in the value of honest dialogue. We look forward to building a relationship with the next chancellor.

—Alan Hall

Open Forums with LSCS Board Members

Since May 2013, three different Board members have participated in open forums on different college campuses--two at North Harris College, one at Tomball College, and one at Cy-Fair College. Indeed, the AFT has sponsored three of these four open forums; a Faculty Senate sponsored the other one. AFT officers think this is a healthy development, and all three of the Trustees who have held these open forums welcomed the opportunity to hear from employees. While they were running for their seat on the LSCS Board, all three of these trustees pledged to be accessible to employees and to encourage other board members to do the same. We are delighted to see these trustees keep their campaign promises on this issue. Another forum is planned in June:

"Meet Kyle Scott and Ron Trowbridge"

Date: Thursday, June 12, 2014

Time: 2:30 PM - 4:00 PM

Campus: LSC-CyFair

Room Requested: TECH 102

Please contact John Burghduff at johnburghduff@yahoo.com to verify location.

Many employees have asked AFT officers if Board members have to seek approval from the rest of the board, or from the Chancellor, or perhaps the college president, before they participate in one of these open forums. A sufficient number of employees have raised this issue that we suspect other employees have wondered about it too.

During the forums, which have been well attended, each Board member has been abundantly clear that as an individual they have no authority to act for the Board, take a position for the Board, or even to disagree with a Board position. The LSCS Board Policy Manual is clear that the Board "is a body corporate" (LSCS Board Policy Manual, I.B.2.05). That is to say, the

Board is a committee of the whole and can only act as a whole. Board members and employees all seem to understand that.

The Board Policy Manual also states:

I.B.2.07 - Individual Board Member Authority

...as noted by the Attorney General in Opinion No. JM-119 (1983), individual Board members retain the right to seek information from System records and employees, without specific Board authorization, so long as they follow any relevant Board policies in seeking that information.

Citing a Texas State Attorney General opinion as its authority, the Board Policy Manual asserts that an individual trustee does not need permission from the whole board to participate in an open forum. It seems logical to assume that individual trustees also do not require permission from any administrator to do so. Surely, administrators do not have more authority over individual Board members than the Board itself.

All of these open forums during the last year were advertised in advance, open to all employees, and in every case the room for the meeting was reserved in the normal way, giving college administrators due notice well in advance that the open forum was being held. The active attendance of administrators indicates that they have welcomed the open forums with Board members just as much as staff and faculty. All of the meetings were cordial and informative. The trustees have all volunteered to come back at any time, and many employees have thanked the AFT for the three open forums that it has sponsored so far.

In addition to these open forums, AFT leadership has had many private meetings with individual Board members. In just the past three years, we have met privately with six different Board members, usually at a local Starbucks. This number includes two meetings with Board President Holsey, one in July 2013 and the other in January 2014. In these meetings, Board members have been quite outspoken about their conviction that they can meet with AFT officers anytime they want without anyone's permission. We agree and would add that elected officials, such as LSCS board members, not only have a right to meet with community groups, but have a duty to do so. The LSCS Board Policy Manual seems to agree with us on that point. There are many passages that admonish Board members to stay in close contact with the community (see especially "Community Relations" at LSCS Board Policy Manual, I.B.1.13.3).

The AFT appreciates the willingness of LSCS board members to meet with its leaders and to participate in open forums for all employees. Our leadership unanimously hopes that Board members meet with all kinds of community groups on a frequent basis in order to represent the interests of local voters as they shape the future of LSCS.

—Staff



American Federation of Teachers -Lone Star College Membership Application

AFT-Lone Star College is an affiliate of the American Federation of Teachers and the Texas AFT and accepts membership from all non-supervisory employees of the LoneStar College System. Indicate below whether you are a new member or a current member wishing to update your contact information. Membership with AFT-Lone Star College provides each member with an \$8 million Professional Occupational Liability coverage policy, legal defense coverage and access to representation for work-related issues. In addition, AFT-Lone Star College members are entitled to special savings and discounts through our AFT PLUS benefits program. **If you have questions about joining, please call AFT- Lone Star College @ 281-889-1009. You may also visit our website: www.aftlonestar.org**

1) Fill out the application below and choose your method of payment

2) Remit this application to AFT-Lone Star College President, Alan Hall

By US mail: AFT - Lone Star College P.O. Box 788 Spring, Texas 77383-0788 **OR** Interoffice mail: Alan Hall @ A-217, North Harris



2013-2014 Monthly Membership Dues rates:

Based on your position with the LoneStar College System, please select your appropriate dues rate.

- ☐ Full-time Faculty \$34.98/mo. or \$419.76/yr.
- ☐ Full-time Professional Staff \$27.81/mo. or \$333.72/yr.
- ☐ Full-time Support Staff \$24.70/mo. or \$296.28/yr.
- ☐ Adjunct Faculty \$12.38/mo. or \$148.44/yr.
- ☐ Part-time Staff \$12.38/mo. or \$148.44/yr.



IMPORTANT NOTICE:

Payroll deduction allows members to pay union dues in monthly installments. If you prefer to write a check to pay for your union dues, be advised that AFT requires the full yearly amount payable in 2 six-month installments. Exceptions to the rule apply for Part-time Staff and Adjunct Faculty only.

First Name:	<input type="text"/>	Middle Initial:	<input type="text"/>	Last Name:	<input type="text"/>
Home Address:	<input type="text"/>				
City:	<input type="text"/>	State:	<input type="text"/>	Zip code:	<input type="text"/>
Home Phone:	<input type="text"/>	Email Address:	<input type="text"/>		
Employee ID #:	<input type="text"/>	Campus:	<input type="text"/>		
Position:	<input type="text"/>	Room #:	<input type="text"/>	Referred by:	<input type="text"/>
I am paid:		<input type="checkbox"/> Bi-weekly <input type="checkbox"/> Semi-monthly		Paid over: <input type="checkbox"/> 9 months <input type="checkbox"/> 9.5 months <input type="checkbox"/> 12 months	
Are you a current or new member? <input type="checkbox"/> Current member <i>(Updating information and/or payment method)</i> <input type="checkbox"/> New Member					
Choose method of payment: <input type="checkbox"/> Payroll Deduction <i>(Complete the union dues agreement below)</i> <input type="checkbox"/> Cash/Check <i>(Two 6 month payments payable to AFT-LSC)</i>					

Union Dues Deduction Agreement

I hereby authorize Lone Star College System to deduct each pay period an amount equal to the dues in the amounts fixed in accordance with the Bylaws of AFT including any increase in dues in future years and pay same to said Union in accordance with the terms of the agreement between Lone Star College System and American Federation of Teachers. This agreement will remain in effect until Lone Star College System receives a written notice of cancellation from me, AFT or at the time of my termination, whichever occurs first. This authorization is subject to sufficient wages being available to comply with all other required deductions and existing federal and state laws.

Signature: *(Print this form and sign here)*

Date

[Click here to print form](#)

For AFT-Lone Star College office use only. Do not write in this box.

Position verified: YES NO *(Initials)* _____

NOTES: _____

Dues Class: FTF AF FTFS FTSS PTS C _____