

**Minutes
Of the Final Meeting
Of the 2003-2004 ASA Council**

Tuesday, August 17, 2004
12:30 - 4:30 pm

Members Present: Eduardo Bonilla-Silva, Michael Burawoy, Esther Chow, Robert Crutchfield, Troy Duster, Jennifer Glass, Arne Kalleberg, Deborah King, Rhonda Levine, Nan Lin, Victor Nee, Caroline Persell, Bernice Pescosolido, Pam Walter, Franklin Wilson, Min Zhou.

Members Absent: William Bielby.

Incoming 2004-2005 Council Members Present: Rebecca Adams, Cynthia Fuchs Epstein.

Staff Present: Karen Gray Edwards, Lee Herring, Sally Hillsman, Carla Howery, Michael Murphy, Mercedes Rubio, Roberta Spalter-Roth.

1. Call to Order

ASA President Michael Burawoy called the final meeting of the 2003-2004 ASA Council to order at 12:40 pm on Tuesday, August 17, 2004 in the San Francisco Hilton Hotel.

2. Approval of Minutes of Prior Meetings

Minutes of the February and April meetings of the 2003-2004 Council were circulated by e-mail approximately six weeks prior to the meeting and then again in printed form with Council reports approximately two weeks prior to the meeting. President Burawoy called for additions, deletions, or corrections to both sets of minutes. Caroline Persell pointed out a few typographical corrections; there were no other comments.

Council voted unanimously to approve the minutes of the February 2004 and April 2004 meetings as corrected.

3. President's Report

A. Reflections on Year

ASA President Michael Burawoy spoke briefly with members of the ASA Council on reflections of his year as President and the success of the culminating event, the Annual Meeting. As of the close of registration one day earlier, registration for this meeting stood at 5,550 (unaudited). Plenary sessions have been extraordinarily well attended, as have smaller events throughout the meeting. He noted that sessions

occurring at the same time as Council, on the last afternoon of the last day of the meeting, were standing room only events, another indication of member enthusiasm.

B. ASA Member Resolution on Constitutional Amendment

President Burawoy called attention to a written report summarizing the outcome of the member resolution presented on the 2004 ASA ballot. The resolution, which called for ASA to take a stand in opposition to amending the United States Constitution to ban same sex marriage, passed by an overwhelming majority of voters.

4. Secretary's Report

ASA Secretary Arne Kalleberg thanked the members of Council for the opportunity to serve as Secretary of the Association for the last three years. He expressed his appreciation to Presidents Reskin, Bielby and Burawoy, under whom he served. Kalleberg also expressed his appreciation to Executive Officer Sally Hillsman and the staff of the Executive Office.

A. Review of Membership

After several years of stagnant or declining membership numbers, the ASA has now experienced three straight years of membership increases. The Executive Office has aggressively pursued new and lapsed members. Immediately prior to the opening of the Annual Meeting, membership stood at 13,300. That number will be higher before the close of the 2004 membership year, partly from the number of people who joined or renewed onsite at the meeting.

Approximately two-thirds of people now renew their membership online. One-third of members are students, a group in which there is a great deal of "churning," with people joining for a year, lapsing, and later returning to membership. Membership renewals are disproportionately at the upper income levels; the churning is seen mostly at the lower income levels. In conclusion, Kalleberg reported that the Association is doing extremely well on the membership front.

B. Review of Section Membership

Sections have also continued to experience membership increases in the current membership year. At the start of the meeting, section membership counts stood at 20,062. Kalleberg anticipates the total count of section memberships will be significantly higher by the close of the 2004 membership year since many members join a section at the meeting, and sections engage in vigorous recruitment campaigns in September in order to earn additional sessions at the next Annual Meeting.

C. Review of Journal Subscriptions

As reported previously, institutional subscriptions have been declining. This is due to institutions subscribing to fewer copies of ASA publications, rather than dropping their subscriptions totally. ASA is engaged in aggressive effort to determine why institutions have dropped their subscriptions and to encourage them to reverse their decisions. Electronic publication through Ingenta may help to bring some institutional subscribers

back in future years. Caroline Persell agreed, noting that increasingly libraries will only subscribe to journals that are available in electronic as well as print format.

With the exception of *Contemporary Sociology*, member subscriptions have increased for all ASA journals. Kalleberg suggested that Council must deal with the decline in CS subscriptions. *Contexts* remains very popular with members, experiencing the largest subscription increase. Kalleberg noted that members often drop another journal when they subscribe to *Contexts*, usually dropping *American Sociological Review* or *Contemporary Sociology*.

While originally conceived as a way to reach the public, *Contexts* currently has only 250 non-member subscriptions and 125 institutional subscriptions. While this number of institutional subscriptions is in keeping with the original business plan, but the number of non-member subscribers is lower than anticipated. Hillsman reported that the University of California Press is actively marketing *Contexts* to new institutional subscribers, including Community College libraries and public libraries, attempting to reach a non-traditional audience.

Kalleberg reported that as planned ASA is currently losing money on *Contexts*. On average it costs \$78 per copy to produce *Contexts*, but subscriptions are offered for \$30. When asked about the point of diminishing return for setting the *Contexts* subscription rate, Hillsman reported that UC Press has indicated they are comfortable with a price increase for *Contexts* over the current \$30 price; they do not believe an increase at this time will produce significantly negative results.

D. JSTOR Amicus Brief

Secretary Kalleberg called upon Executive Officer Hillsman to brief Council on the case of *Faulkner v. National Geographic Society* (294 F. Supp. 523 (S.D.N.Y. 2003)) and the decision to join JSTOR on an Amicus Brief in the case. The case has very important implications for ASA as a scholarly publisher.

Hillsman explained that the origin of this case is a series of suits filed by freelance writers and photographers in which they objected to the reproduction of their work in electronic "revisions" of the original collective work containing their pieces. In the case of *Greenberg v. National Geographic*, a *National Geographic* freelance photographer contended that the inclusion of his work in the *Complete National Geographic*, a searchable, photo-scanned CD-ROM product, violated his original copyright. The Eleventh Circuit Court agreed in an ambiguous 2001 decision. The Court found that the CD-ROM publication was an entirely new work, substantially different from the print copy.

However, the *Faulkner* case, decided by the District Court in the Southern District of New York in December 2003, had a fact pattern virtually the same as the *National Geographic* case, but with a very different and more favorable ruling. The *Faulkner* case supports ASA's right as owner of collected works to publish "revisions" in JSTOR format. The *Faulkner* case has now been appealed to the Second Circuit. Since the

JSTOR headquarters is in the Second Circuit, the appellate decision will cover its business.

In *New York Times Co., Inc. v. Tasini*, freelance journalists argued that the New York Times Company infringed on their copyright when it put their Times articles in Nexis. The U.S. Supreme Court agreed, but in doing so contrasted the Nexis database with databases such as microfilm. The Supreme Court viewed microfilm as a "revision" rather than a completely new work. The trial judge in *Faulkner* used the Supreme Court decision in *Tasini* as the basis for ruling in favor of National Geographic's contention that its electronic publication was not a new product.

JSTOR approached a number of professional associations about joining JSTOR as co-signatories on an Amicus Brief in the *Faulkner* case. ASA's literary attorney reviewed the case and reported that it was in ASA's interests to support the brief. Hillsman reported that she conferred with the Secretary, Secretary-Elect, and the three Presidents (current, Elect, and Immediate Past) and secured their support to sign onto the brief.

Hillsman concluded by explaining that ASA holds the copyright for journal contents. If journal contents are made available online, the question the *Faulkner* case presents is whether or not subsequent electronic publication of journal contents would be seen as ASA producing a new publication which would require a new copyright. On June 22nd, 2004, EOB voted unanimously to authorize the ASA to join in the amicus curiae brief submitted by JSTOR in *Faulkner v. National Geographic Society* in the United States Court of Appeals for the Second Circuit supporting the request of defendants-appellees for affirmance of the District Court opinion.

5. Report of the Executive Officer

Executive Officer Hillsman presented an update on Executive Office activities and status.

A. Overview of Staff and Year

An overview of current staff and lines of reporting responsibility was briefly reviewed with members of Council. Many members of Council interact with ASA Staff on a regular basis and are quite familiar with them and their responsibilities.

B. Report on the Annual Meeting

The 2004 Annual Meeting has proven to be a blockbuster event, with more registrants than ever before. More complete details on the Annual Meeting will be available after the close of the meeting when all income, expenses, and participation are compiled.

C. 2004 Election

On March 26, 2004, a member-initiated resolution was submitted on the subject of a proposed amendment to the U.S. Constitution to prohibit same sex marriage. The Caucus of Lesbian, Gay, Bisexual, Transgender Sociologists, the Family Section, and

the Sexualities Section jointly sponsored a resolution, signed by more than 600 ASA members that would make opposition to such a constitutional amendment the official position of the Association. This support exceeded the 3% of the voting membership required under the ASA By-Laws to bring any member-initiated resolution to Council.

Council met by conference call on April 7, 2004 to consider this member resolution, and voiced unanimous, strong support for this resolution. Council also voted unanimously to submit the resolution directly to the ASA membership on the 2004 annual ballot. Council noted that the issue of the Constitutional prohibition of same sex marriage is of such importance that the full membership should have the opportunity to express itself. Furthermore, endorsement by the membership would give the resolution greater public weight.

Council also recognized that some might be opposed to amending the U.S. Constitution to prohibit same sex marriage but endorse other legislation to ban same sex marriage. Anticipating this might be an issue in the future, Council also voted unanimously to place a separate opinion question on the ASA ballot.

ASA Statement Against the Proposed Constitutional Amendment
Prohibiting Same-Sex Marriage

WHEREAS the American Sociological Association (ASA) comprises sociologists and kindred professionals who study, among other things, sex and gender, sexualities, families, children, religion, culture, and systems of inequality and their effects, and

WHEREAS the ASA is dedicated to advancing sociology as a scientific discipline and profession serving the public good, and

WHEREAS a constitutional amendment defining marriage as between a man and a woman intentionally discriminates against lesbians and gay men as well as their children and other dependents by denying access to the protections, benefits, and responsibilities extended automatically to married couples, and

WHEREAS we believe that the official justification for the proposed constitutional amendment is based on prejudice rather than empirical research, and

WHEREAS sociological research has repeatedly shown that systems of inequality are detrimental to the public good,

BE IT THEREFORE RESOLVED that the American Sociological Association strongly opposes the proposed constitutional amendment defining marriage as between a man and a woman.

Members were asked, "Do you endorse the membership resolution opposing a constitutional amendment prohibiting same sex marriage?" The overwhelming majority responded affirmatively (75.3%). A total of 2,286 members responded "Yes"; 384 members responded "No." In addition, another 250 members marked "Abstain" and 115 members did not mark any choice on this question. Therefore, 749 of the 3,035 ballots cast (25%) were either negative or provided neither an affirmative nor a negative response; 2,286 or 75% of all ballots cast voted were affirmative.

When members were asked, "Do you personally favor or oppose legislation that bans same sex marriage?" again an overwhelming majority (78.8%) responded that they opposed such legislation; 8.4% responded that they personally favored such legislation, 8.67% marked "Abstain," and 4.1% did not mark any choice.

Kalleberg reported that the member resolution is now the official position of the association.

D. Department Affiliates

The Department Affiliates Program, launched in 1994, remains strong, with a stable group of departments committed to the program. For 2004, there are 312 Department Affiliates, which is a slight decline from 325 departments in 2003. With nearly 3,000 departments eligible to participate in the program, there is room for expansion of the program. The Executive Office will continue to explore ways to reach new departments and involve them in this important work with departments.

E. Minority Fellowship Program

In May of this year, the Executive Office submitted to NIMH a proposal for renewal of the T-32 training grant for the ASA Minority Fellowship Program. NIMH has increasingly focused on mental *illness*, with the focus on social dimensions lessening. As much as possible, the ASA proposal incorporated this approach. Overall, funds for T-32 grants are shrinking.

NIH has recently been reviewing their definition of who is a "minority," and who is "underrepresented" in science for the purposes of federal funding. This review will obviously have an impact on how groups are categorized for T-32 grants. NIMH has informed ASA that it has put all training grants on hold until this larger question is resolved. The ASA proposal will go back into active consideration in the fall, or whenever the decision is made on the definition of minority for scientific under-representation purposes.

F. Member Contributions and Donations

Through July 23, 2004 of the current membership year, 834 members have contributed a total of \$25, 896 to six ASA programs: American Sociological Fund, Congressional Fellowship Fund, Fund for the Advancement of the Discipline, Minority Fellowship Fund, Soft Currency Fund, and Teaching Enhancement Fund. The Minority Fellowship Program continues to receive the largest number and volume of contributions. The majority of contributions are received via the annual membership renewal process.

6. Report of Committee on Publications

Secretary Kalleberg presented a report on the recent meeting of the Committee on Publications, along with an update on the overall status of ASA publications.

A. Editors of ASA Publications

Three ASA serial publications will be coming forward with candidates for new editors at the Winter 2005 Council meeting: *Contemporary Sociology*, the Rose Series in Sociology, and *Sociology of Education*.

B. Embargoed Countries

In September 2003, the U.S. Treasury Department's Office of Foreign Assets Control (OFAC) came forth with an interpretation of the International Emergency Economic Powers Act and the Trading with the Enemy Act that potentially affects ASA publications. Specifically, OFAC interpreted these acts and their amendments as meaning that publishers may only publish materials from embargoed countries if they are in camera-ready form and are not subject to "substantial alternation" which would include peer review, copy editing, design or translation. This ruling has implications for all ASA journals, newsletters and other publications.

All journal editors and others involved in ASA publications were notified of this development and Council and the Executive Office's concerns about its implications for academic freedom. While OFAC is not currently pursuing such cases, if such a case arises, it is likely that large academic publishers and others will take the issue to court. The ASA is actively following this issue and working with other scholarly societies and AAAS on this important issue.

7. Committee on Awards

Victor Nee, Chair of the ASA Committee on Awards, reported that the committee met on Monday, August 16th, first with Chairs of the ASA Award selection committees and then separately to discuss a number of issues related to administration of ASA awards. Members of the committee were pleased with the conduct of the 2004 Awards Ceremony the previous evening but noted that not all award selection committee chairs shared their enthusiasm.

Members of the committee noted that when the Committee on Committees was re-established in 2001, no mechanism was established for the appointment of award selection committee chairs. Given this uncertainty, the committee recommended that Council formalize an appointment procedure:

The ASA Council voted unanimously that each award selection committee be asked to suggest a member of the selection committee

to serve as chair. If a selection committee fails to select a chair, the ASA Council will appoint a chair for the committee.

In addition, to ensure an orderly transition from one year to the next, the Committee on Awards recommended that each committee also have a Vice Chair.

The ASA Council voted unanimously that all award selection committees should have a Vice Chair as well as a Chair, the Vice Chair will become Chair the following year.

Currently the criteria for one ASA award specifically state that nominations from earlier years remain active for several years. Members of the committee felt nominations for non-publication (e.g., career achievement) awards require sufficient work to coordinate and recommend that they remain active for multiple years.

The ASA Council voted unanimously that nominations for all non-publication awards remain active for two years beyond the year in which they are submitted (i.e., for a total of three years).

Nee also reported that the Committee on Awards periodically reviews the eight primary ASA awards. The last such review was conducted approximately five years ago; therefore, the Committee on Awards will undertake such a review in the year ahead

8. Task Force Reports

A. Final Report of the Task Force on the Undergraduate Major
Council Liaison Robert Crutchfield reported on behalf of the Task Force on the Undergraduate Major. In 1989 Council established a Task Force to review current practices and make recommendations regarding the sociology major. That Task Force produced a report entitled *Liberal Learning and the Sociology Major*, which was widely distributed and used.

Ten years after the completion of work of the 1989 Task Force, Council appointed a new Task Force in 2001 to update and expand upon the original report and its recommendations. Over the past decade some departments have made great strides, but there is still more work to be done to enhance the vitality and coherence of sociology majors nationwide.

Building upon the original report, the second Task Force focused on the challenges to achieving study in depth within the diverse settings in which sociology programs operate. On behalf of the Task Force, Crutchfield presented an 88-page report

entitled *Liberal Learning and The Sociology Major Updated: Meeting the Challenges of Teaching Sociology in the Twenty-First Century*.

Members of Council raised numerous questions, but time constraints did not permit a full discussion. To allow for a full review of Council questions and concerns, the report was tabled until the first meeting of the 2004-2005 Council the next day.

B. Progress Report Task Force to Review the ASA Specialty Areas

When individuals join or renew their membership, they are invited to check up to four areas of interest from a menu of 75 choices. Realizing that over the years, areas of interest and the way they are identified have changed. Council created a task force in January 2003 to revise the ASA specialty areas used on the Association's membership and renewal application.

The Task Force met during the 2003 Annual Meeting to consider its assignment and to begin work. Members of the Task Force reported to Council at its January 2004 meeting that they had conducted a cluster analysis of existing specialty areas, yielding 83 areas under 16 major categories. The Task Force recommended moving toward a shorter, more concise list of specialties, and switching to more modern terminology where appropriate. In addition, the Task Force recommended the addition of a free-response field in which members could list their specific, primary research focus. Council asked the Task Force to contact Section Chairs and solicit their input.

As requested, section officers were invited to review and comment on the Task Force proposal. Sixteen section officers provided comments, some extensive, but not all on behalf of their sections. The Task Force met during the 2004 Annual Meeting to review the feedback provided by section officers and to advance the project to the next step.

The Task Force recommended that a detailed article be published in a future *Footnotes* to collect feedback from the membership regarding the project and the current proposed codes. The Task Force suggested that when ready, Council consider placing the full revised list of areas of interest (16 general codes as well as sub-codes) on the membership/renewal forms, perhaps for the 2006 membership year, along with a free-response field.

Council took no action at this meeting, but thanked the members of the Task Force for their continuing work on this project.

C. Task Force on Contingent Work

On behalf of the Task Force on Contingent Work, Rhonda Levine provided an update on its work and provided a copy of its final report. Four recommendations were offered for Council action; Council took formal action on three of them.

Council voted unanimously to accept the report of the Task Force on Part-Time and Contingent Work in the Academic Workplace entitled *Academic Relations: The Use of Supplementary Faculty*, and to

encourage the ASA Department of Research and Development to continue to collect and analyze data on the use of contingent faculty.

Council voted unanimously for ASA to continue to work with other professional associations to explore ways to improve working conditions of contingent faculty.

Council voted unanimously to include opportunities to discuss issues regarding the use of contingent faculty on the agendas of the ASA annual meetings of department chairs and graduate directions.

The fourth recommendation from the task force was as follows:

“In an effort to keep contingent faculty active in the profession, the task force recommends council consider special registration fees for the Annual Meeting, as well as travel subsidies.”

Members of Council raised numerous questions about and made several comments on this recommendation. It was noted that some people in contingent positions are highly paid and do not require discounted registration fees or travel subsidies. A member asked how large a group this action would impact, and how many of those people are members of the Association. Council decided to postpone action on the fourth recommendation until the January meeting, pending review and analysis by the Executive Office.

D. Task Force on Institutionalizing Public Sociology

Roberta Spalter-Roth and Carla Howery reported as Staff Liaisons to the Task Force on Institutionalizing Public Sociology. During the 2004 Annual Meeting the Task Force met, reviewed its charge, and developed an outline of tasks that it will be completing over the next six months, the next year, and the next year and a half. In order to launch those activities, the Task Force agreed unanimously that a core activity will involve the construction of a web site through which it will gather information on the scope and range of public sociology, solicit ideas of how to evaluate public sociology (including tenure and promotion guidelines), and coordinate discussions of issues relating to public sociology. To this end, the Task Force requested an initial seed-money budget of \$5,000 to support the development of the website, with an intention of requesting \$20,000 for the completion of future tasks. The Task Force will solicit a one-to-one match from sociology departments, and Task Force Members have already volunteered to ask their own departments for contributions.

Several members of Council inquired about specifics of the Task Force proposal and details about how the proposed website would be utilized. President Burawoy asked Council to table discussion on this item to the January 2005 meeting, noting that the proposal was too complex to resolve quickly with limited time. He asked Staff Liaisons to indicate to Task Force members that this move was not a denial of funding, but

simply a postponement of consideration until the task force could provide a full budget and explanation of its needs.

9. Status Committee Reports

A. Committee on Status of Women in Sociology

As part of the five-year review of Status Committees by Council, the Committee on the Status of Women in Sociology prepared a report for Council consideration. The report was not a list of specific recommendations but rather instructions for future committee members.

Council voted unanimously to accept the report of the Committee on the Status of Women in Sociology, and to encourage the next committee to use the recommendations in the report to frame its work.

President Burawoy commended the members of the committee and their Staff Liaison for their tremendous effort. Suggestions were made to include the names of the committee members on the report, along with a title page.

B. Committee on Status of Gay, Lesbian, Bi-sexual and Transgender Persons in Sociology

Pam Walter, Council Liaison to the Committee on the Status of Gay, Lesbian, Bisexual and Transgender Persons in Sociology, reported to Council on behalf of the committee. The Committee presented a substantial report to Council last year, which provided Council with everything required for the five-year review and more. The Committee asked that it be authorized to continue and outlined a number of items it is interested in pursuing. President Burawoy suggested that action on renewal of Status Committees be held over for the 2004-2005 Council meeting the next day.

10. 2003 Financials and Audit

The Independent Audit of 2003 ASA financial records was distributed to all members of Council, along with copies of the auditor's A-133 Supplementary Financial Report. Hillsman and Kalleberg reported that the auditors found the financial statements to be in conformity with generally accepted accounting principles.

Budget notes accompanying the audit report that although revenues for 2003 were lower than budgeted by \$212,000 (\$4,195,000 vs. \$4,407,000), expenses were held below budget by approximately \$216,000 (\$4,267,000 vs. \$4,483,000). This resulted in a slightly lower loss than had been budgeted.

Council voted unanimously to accept the 2003 Independent Audit Report as presented.

Kalleberg and Hillsman reported that the auditors complimented ASA Comptroller Les Briggs for his work and careful attention to detail. They added their praise to that of the auditors.

Council voted unanimously to express its appreciation and congratulations to ASA Controller Les Briggs for his hard work and the successful audit of 2003 financial records.

11. ASA Investments and Reserves

A. Analysis of Investment Performance

ASA Investment Advisor Kenneth Siegel, of Fiduciary Trust International, reported that while many economic indicators are strong, the stock market has been somewhat sluggish this year rising only 1.4% through May 31, 2004. Investors are concerned about the potential for higher interest rates, so the fixed income portion of the ASA portfolio has been kept at the low end in anticipation of the higher rates. Equity positions have been marginally reduced throughout the year; with the huge market rise of 2003 many stocks appear to be overvalued relative to their earnings growth rates, which could lead to a period of stock price adjustments.

B. EOB Selection of New Manager for ASA Long-Term Assets

Secretary Kalleberg provided an extensive report on the EOB selection of a new manager for ASA's long-term assets. Under the ASA Bylaws, the EOB has the responsibility and authority for the investment and reinvestment of funds owned and held by the Association pursuant to policies of Council.

As of June 30, 2004, the Association had a total of \$7,104,610 in long-term assets invested in a balanced portfolio of fixed income and equity investments managed by Fiduciary Trust International, Inc. Approximately \$2.5 million of these funds are "unrestricted," that is, available to the Association for any purposes it requires. Another portion, approximately \$1.5 million, is "restricted by Council" and is available only for purposes designated by Council; the largest part of these funds is the ASA Building Fund.

The remaining long-term assets are those for which use is restricted by the donor(s); the largest portions of these assets are the Rose and Spivack funds. These funds held by the Association total approximately \$3.0 million. Therefore, approximately 57% of the long-term assets invested by the Association are funds owned by ASA, and the remaining 43% are held by the Association to be used as specified by donors.

In 1992, the EOB selected Fiduciary Trust International, Inc. as investment manager for ASA's long-term investment portfolio. EOB reaffirmed this decision in 1996 after a review of ASA's management of its assets and after interviewing other potential investment managers. At its July 2003 meeting, the EOB decided that it was time to review the financial management of ASA's long-term investments. At its January 2004 meeting, EOB reviewed the Association's investments, interviewed potential new

investment managers, and created an Investment Committee (consisting of Michael Aiken, Paul DiMaggio, Lois DeFleur, Arne Kalleberg, and Franklin Wilson, and staffed by Sally Hillsman and Les Briggs). In subsequent months, members of the Investment Committee interviewed an additional investment firm and Fiduciary Trust.

EOB's review of potential investment managers included assessing who could best assist EOB revise ASA's investment policies that would then be reviewed and approved by Council. The policies would include such matters as investment objectives and spending policies, as well as guidelines for portfolio diversification, benchmarking, monitoring, and socially responsible investing.

EOB examined four potential investment strategies in selecting and interviewing potential managers, including ASA's current manager: (1) *Active* investment management (that trades specific stocks to try to maximize returns) by either (1A) a *single firm as broker for all classes of investments* or by (1B) a *single investment advisor who hires multiple brokers for different classes of investments*; and (2) *Passive* investment management (that seeks to maximize returns through diversified stock portfolios that track the market overtime rather than trying to "time" market transactions) by purchase of (2A) *diversified index funds* or (2B) *diversified non-indexed funds*.

ASA's current investment manager is in the first category: a single firm acting as an active broker in all classes of investments, fixed and equity; however, in the equity market, the current manager's firm purchases stocks in only one type of equity sector (large cap growth stocks). While that sector did well during the bull market of the late 1990s, EOB's review of the investment portfolio performance over the last 10 to 12 years led it to decide that further diversification across equity sectors would be important for balancing both risk and returns in future years. EOB, therefore, emphasized the three other investment strategies in its review of firms.

EOB found merit in active investment management through multiple brokers specializing in different investment classes. This strategy would provide ASA's investment advisor and the EOB the ability to hire individuals with proven track records for different types of equity markets (e.g., large cap growth; small cap growth; international small cap) and also to engage in mid-course corrections as the market changes. However, EOB also recognized that the track records of individual brokers are not consistent over time, and the market is always in flux, suggesting that this strategy would require close, steady monitoring of all brokers (approximately 10) and the occasional change of brokers and/or sector allocations. Because of the need for close oversight, this investment management strategy is (slightly) more expensive than other strategies, and returns would have to be higher overtime to warrant the additional cost. EOB expressed caution about assuming that in the coming three to five years, and perhaps longer, the market will provide large gains (such as in the late 1990s) even if it stays on a generally upward course, regardless of the investment strategy selected by EOB.

EOB also found merit in passive investment strategies. One type of passive investing involves index funds. Index funds are diversified and aim to track the average gains/losses of the market by buying and selling stocks at particular times to keep the funds "indexed", for example, mirroring the S&P 500. However, because hedge funds and large investors know what specific stocks are going in and out of index funds to keep them indexed, they can "game" these transactions in the market to benefit themselves. It is estimated that this costs approximately 2% per year for index fund investors.

By contrast, another type of passive investing is investment in a balanced portfolio of mutual funds that are also diversified across sectors (nationally and globally) but that are not indexed to the market. Instead the sale and purchase of stocks in the funds are structured by systematic research on asset class performance over long periods of time and by the selection a *very large* number of quality company stocks within asset classes. Many stocks are kept for long periods of time, and there is relatively little trading; because the funds are not indexed, buys and sells can be made less often, when the price is appropriate, and in large blocks. This discipline in trading aims to produce long-term returns, balanced risks and low costs.

The EOB's examination of Dimensional Fund Advisors (DFA), a well-established passive investment firm, indicated high quality research covering market performance since 1926; excellent performance of DFA mutual funds during the last 30 years compared to major sector benchmarks; and a competitive fee structure compared to other options. EOB, therefore, preferred DFA's approach to long-term investing for the assets for which the Association is responsible, both our own and donors, to achieve preservation and growth. This is an entirely new strategy of investing for ASA but one EOB believes will build on DFA's substantial track record of performance over the long run.

DFA is a well established privately owned company that currently manages over \$55 billion in assets. Independent brokers carefully selected by DFA advise clients such as ASA on developing or updating their investment policies; they then purchase the appropriate balance of DFA domestic or global mutual funds, monitor performance, report to clients and work with them to oversee long-term performance. The brokers are independent and paid by fees from clients; they receive no compensation from DFA which does the market research and develops the mutual funds for the brokers and their clients.

Gordon Bernhardt, President of Bernhardt Advisory Services of McLean Virginia, and a DFA broker, was selected by the EOB. He would assist the EOB revise ASA's investment objectives, spending policies, guidelines for portfolio diversification, benchmarking, and monitoring. Council would then be asked to approve these broad policies while EOB would continue the investment and management of the assets as provided for in the ASA Bylaws.

The selection of a passive investment strategy by the EOB has implications for Council's concern with socially responsible investing which was an important

consideration as EOB evaluated potential investment advisors. With the exception of ASA's decision in 1994 regarding South Africa, Council policies regarding social responsibility in ASA's investment program have always been fairly broad: not investing in companies with "egregiously anti-labor policies or deficient health and safety records" and attempting to avoid companies that are "primarily" engaged in the defense industry. In 1998 Council renewed its earlier consensus that ASA "should not go further down the path to more restrictive (socially responsible) guidelines." At its meeting in January 2004, Council again recognized the difficulties of carrying out nuanced examinations of individual companies with regard to even these broad parameters of social responsibility and was not generally supportive of becoming more proactive with regard to investing funds to attain social goals.

Kalleberg reported that EOB felt that utilizing DFA as an investment advisor would be consistent with some forms of socially responsible investing. While the passive investment strategy it has selected meets Council's broad parameters, EOB recognizes that ASA would not generally be in a position to proactively reject specific company stocks.

First, ASA would own no individual stocks as it has in the past. Rather it would own shares in a significant number of mutual funds that are defined by the type of market sector they are in (e.g., small cap value, large cap growth) rather than by the type of industry they are in. These funds contain the stocks of very large numbers of individual companies. For example, DFA's US Small cap mutual fund universe is the smallest 8% of all US firms traded on the NYSE, AMEX, NASDAQ, and NMS; the fund currently holds stocks in over 2,900 selected high quality companies within this universe. To meet the ASA's diversification and growth needs, EOB would invest ASA's assets in approximately 10 such funds. Consequently, only a very small amount of ASA dollars could be supporting any particular company or even any particular industry. This is in contrast to our current situation in which about half of ASA's equity assets are invested in 20 companies and 100% in 10 industries.

Second, EOB also recognized it is possible that another situation such as South Africa could arise in an emerging market and that ASA would want to take a pro-active stance with regard to investment in a specific country or region. Because it is very likely that ASA would be investing in DFA international funds (global investing will be important to the growth of ASA's assets), EOB would need an approach to dealing with such a decision should it be made by Council. DFA's international funds are in both emerging markets and other international investment areas, and ASA would at most be in only a few of these funds among the approximately 10 in which we would be invested. Therefore, ASA could at any time drop any or all DFA funds that invest in a particular country or group of countries that was, for whatever reasons, problematic for Council.

Since it is Council's responsibility to make the policies under which EOB exercises its responsibility and authority for the investment and reinvestment of funds owned and held by the Association, EOB sought Council input on whether EOB's selection of DFA

mutual funds for investing the Association's long-term assets was in accord with Council's general policies regarding social responsibility.

Members of Council voiced strong support for the review and EOB decision, finding the policy to be in keeping with Council policy. The EOB sub-committee will have continuity and will be charged with monitoring the performance of the investments and the manager.

Council voted unanimously to commend the Committee on Executive Office and the Budget for their analysis and careful review of the ASA investment program.

12. Proposed ASA Speakers Bureau

As follow-up to an idea raised during the August 2003 Annual Meeting in Atlanta, Deputy Executive Officer Howery presented a proposal for an ASA Speaker's Bureau. Council had asked the Executive Office to investigate the ideas raised and come back with recommendations.

The current Sorokin Lecture was set up by Council in 1967 and funded by a \$10,000 gift from Pitirim Sorokin in the same year. The fund has increased over the years to a current balance of approximately \$35,000. The Sorokin Lecture is paired with the ASA Distinguished Scholarly Publication award. The award winner is invited to travel to a regional sociology meeting to present a lecture on his/her book. The ASA covers the direct costs of the lecture trip but pays no honorarium. The regional societies "bid" on the lecture and take turns having the ASA lecturer as part of their programs.

The lectureship generally works well and has been well received. Over the years, however, the regional associations and their meetings have grown in size and complexity. Many regional associations are no longer able to fulfill the terms of the lectureship by offering an "uncontested" session slot to this lecture, and thus the lecture is not always well attended.

Two changes to the Sorokin Lecture were proposed as a way of establishing a new broader lectureship program. First, ASA would open the lecture to *all* the ASA award winners. Some of the other award winners are also likely to have broad appeal. Second, ASA would open up the community of potential "bidders" to additional groups that do not have access to as many distinguished sociology speakers, as do the regional associations.

Howery noted that in particular the state sociological societies would benefit from such guest speakers. It would also be possible to have departments bid on the lecturers, *especially* if they could show that there would be attendance by community members, colleagues in other departments, and/or a consortium of nearby schools. Departments indicating outreach to area community colleges as well as to high school sociology teachers and students would be encouraged to apply.

In conclusion, Howery proposed that Council establish the "ASA Award Winning Sociologists Sorokin Lecture Series", in which any of the winners of major ASA awards in the past two calendar years could be asked to deliver a lecture at a state, regional, or aligned sociological association meeting, or on a campus. ASA would cover the costs of travel and up to two days hotel costs. The host would cover registration (if applicable) and meals. There would be no honorarium. Contingent upon available funding, the ASA could support **up to four** such lecture trips in a calendar year. This proposal would be an expansion of the current Sorokin Lecture Program and would draw on the same restricted budget, although ASA would have to add some additional funds from the annual operating budget if the lecture series expands.

Howery noted that ASA Staff have reviewed the original documents establishing the Sorokin Fund and found no limitations about the use of the funds for this purpose. She estimated the average cost per lecture to be \$1000, for a total budget of \$4,000 per year for four lectures. She suggested that the current Sorokin fund could support \$1,500 of the \$4,000 cost each year without dipping into principal. To expand the current Sorokin program would require an additional \$2,500 per year from the American Sociological Fund.

Council voted unanimously to expand and revise the current Sorokin Lecture Program into the ASA Award Winning Sociologists Sorokin Lecture Series, in which any of the winners of major ASA awards in the past two calendar years could be asked to deliver a lecture at a state, regional, or aligned sociological association meeting, or on a campus. The Sorokin Fund and the American Sociological Fund will provide funding for costs of travel and up to two days of hotel expenses for up to four such lecture trips in a calendar year.

13. Business Meeting Resolutions

Members introduced two resolutions during the Annual Business Meeting on Tuesday morning, August 17. President Burawoy summarized the two resolutions, which were reproduced and distributed to all members of Council at the start of the meeting.

A. Graduate Students as Employees

ASA member Christopher Rhomberg of Yale University, submitted the following resolution, which was approved by members present at the ASA Business Meeting:

WHEREAS, 260,000 teaching and research assistants are currently identified by the U.S. Department of Education as part of the higher educational instructional workforce; and

WHEREAS, in 2000 the National Labor Relations Board (NLRB), in a unanimous decision, held that graduate employees at New York University (NYU) are employees entitled to organize for collective

bargaining under the National Labor Relations Act (Act), prompting collective bargaining campaigns in a number of private universities; and

WHEREAS, on July 13, 2004, the NLRB by a 3-2 vote along partisan lines overruled the NYU decision in the case of Brown University, ruling that graduate teaching and research assistants are *not* employees eligible to unionize under the act; and

WHEREAS, in the words of the dissenting members of the Board, this decision is "woefully out of touch with contemporary academic reality ... seeing the academic world as somehow removed from the economic realm that labor law addresses - as if there was no room in the ivory tower for a sweatshop":

BE IT RESOLVED, that the American Sociological Association states publicly that

- 1) we deplore the decision of the NLRB in this matter, which affects the academic workplaces where our members are employed,
- 2) we affirm our support for the collective bargaining rights of graduate student teaching and research assistants, in sociology and in other disciplines, and
- 3) we urge university administrators to remain neutral toward graduate student employees' decision to form a union, and to voluntarily recognize those that show majority support.

A motion was introduced for Council to approve this resolution as ASA policy. However, some members of Council urged further deliberation, noting that the membership is not of one mind on this issue, and the issue of bringing it to the membership for a vote.

Other Council members expressed the opinion that Council had relied upon this approach too frequently in cases where the outcome of the vote was anticipated, and urged Council members to take a stand and save the time and expense of putting the issue before the membership on the ballot. Several other members of Council agreed that putting the question to the membership was an abdication of Council's responsibility. Another Council member strongly supported the resolution, noting that the ASA has a strong record of supporting worker's rights.

Following additional discussion, Council decided to remove the second RESOLVED item and then to take a vote accepting the spirit of the resolution. Several Council

members asked that the minutes reflect that this is a decision of the ASA Council and does not imply support of the entire membership for this resolution.

Council voted to accept in principle that graduate students and teaching assistants should be recognized as employees. (13 in favor, 2 abstentions, 0 opposed)

B. Annual Meeting Locations

ASA member Dan Clawson of the University of Massachusetts prepared and submitted the following resolution:

RESOLUTION ON LABOR AND ASA CONVENTIONS

WHEREAS, hotel union representation raises wages, supplies benefits, and protects workers dignity, thereby insuring that economic growth benefits a workforce often composed of people of color, and particularly women of color; and

WHEREAS, the Association's decision to hold meetings in union or non-union hotels strengthens or weakens the ability of these works and their unions to secure better working conditions and contribute to equitable urban growth;

THEREFORE BE IT RESOLVED, that the Association will adopt, as part of its standing rules, a policy of union preference in negotiating hotel and service contracts for the Annual Meeting and for any other meetings organized by the Association; and

THEREFORE BE IT FURTHER RESOLVED, that those responsible for negotiating and administering said contracts shall, in accordance with this policy of union preference:

(A) select a union hotel and/or service provider if any such provider(s) respond(s) to a request for proposals; and

(B) take active measures to support workers in any labor disputes arising at a contracted hotel, such that meeting attendees will not be compelled to cross picket lines or violate a boycott; and

(C) add labor disputes to the standard escape clause in any ASA contract for convention hotels and meetings.

President Buraway recapped for Council members the complex process of selecting meeting locations for the association. Several members noted that the resolution was

not inconsistent with past practice. However, there was agreement that Council needed guidance from Legal Counsel on the third element on escape clauses in contracts.

Council voted to defer decision on the Resolution on Labor and ASA Conventions pending consultation with ASA Legal Counsel.

14. Adjournment

With no additional business for consideration, the final meeting of the 2003-2004 ASA Council was adjourned at 4:37 pm. President Burawoy expressed his thanks and appreciation to all members of Council and the ASA staff and invited everyone to attend the Closing Plenary Session immediately following adjournment of this meeting. Members of Council gave Burawoy a round of applause and expressed their appreciation to him for his boundless energy, enthusiasm and leadership over the last year.