**References to Senates and Unions in Law or Regulation**

Ed Code §87360(B) states that hiring criteria, policies and procedures for new faculty members shall be developed and agreed upon jointly by the representatives of the governing board and the academic senate(s).

Ed Code §87610.1(A) states that the faculty’s exclusive representative shall consult with the academic senate(s) prior to engaging in collective bargaining regarding tenure review procedures.

Ed Code §87663 (F) states the faculty exclusive representative shall consult with the academic senate prior to engaging in collective bargaining regarding evaluation procedures.

Title 5 §53200 gives authority to academic senates for academic and professional matters (the 10+1).

**Draft Scenarios for Plenary Fall 2011**

Scenario #1: Faculty Hiring Prioritization

During contract negotiations, the collective bargaining unit was able to persuade the administration to define a number of standing shared governance committees, including a Faculty Hiring Prioritization Committee. While acknowledging the role of the academic senate in hiring, nevertheless, the bargaining unit negotiating team inserted language calling for union representation on the prioritization committee. In a separate article in the agreement, new language was also inserted that spelled out the prioritization criteria to be considered by the committee. Upon learning of the new language in the contract, the academic senate protested the intrusion of the union into a clearly defined academic and professional area.

Scenario #2: Class Caps in Distance Ed Courses

The academic senate is interested in developing a policy for establishing course caps based on pedagogical factors. An academic senate task force is formed which consists of the academic senate president and faculty from four other interested disciplines. This group drafts a course cap policy and brings it to the senate for approval. At this meeting the bargaining unit objects on the grounds that the union has already determined class caps for these disciplines which are in the contract.

Scenario #3: Tenure Track Faculty Evaluations

The vice president of instruction of the college believes that the process for evaluating tenure-track (but not yet tenured) faculty should be revised. She calls together the leadership from the academic senate and the bargaining unit. The union wants to create the first draft of a new process but the senate says that it should create the first draft. The union argues that tenure processes are negotiated items so it should be responsible for the first draft.

Scenario #5: SLOs

In a multi-college district, faculty have been working hard to meet the demands of the accrediting commission with regard to student learning outcomes (SLOs). Each college is at a different point in the SLO assessment cycle. The college academic senates want to see all faculty required to participate in SLOs and the union doesn’t.

Scenario #6: Reassigned Time

The senate wants the union to negotiate more reassigned time for a long list of projects and committees. The union says that some of the work under discussion is administrative or clerical and not the work of faculty, and that the college administration is trying to avoid hiring the correct staff or assigning the work appropriately to administrators by giving reassigned time to faculty.