

Alt. San Jacinto College
Academic Senate Office

Date: 18 May 2016
From: The MSJC Academic Senate
Subject: Academic Senate Resolution on the 2015-2017 Tentative Agreement

Resolution from the Academic Senate in Consultation with the Faculty Co-Chair of the Curriculum Committee on the 2015-2017 Tentative Agreement

Whereas, the Academic Senate is the legal authority as the voice of faculty in academic and curricular policy concerns, and

Whereas, *Education Code: § 87663 (f) Evaluation Procedures*, requires that collective bargaining agents, or faculty unions, consult with the Academic Senate prior to negotiating faculty evaluation procedures, and

Whereas, Item number 8 of the current 2015-2017 Tentative Agreement negotiated by the MSJC Faculty Association and ratified by its members establishes new evaluation procedures for faculty department chairs without prior consultation with the Academic Senate, and

Whereas, Item number 11 of the current 2015-2017 Tentative Agreement, the revised section VIII B8, Regarding Instructional Improvement Hours, mandates the creation of a shared-governance "Instructional Improvement Committee," which is beyond the scope of union purview and infringes upon the purview of the Academic Senate as defined in the 10 + 1, and

Whereas, Item number 5, sections b, c(2), and c(4) of the current 2015-2017 Tentative Agreement establish guidelines to be used by the Curriculum Committee in determining an "Extensive Preparation Laboratory" in violation of Title 5 Section 55002.5, as well as in violation of Senate Purview over curriculum as defined in the 10 + 1,

Resolved, it is the position of the MSJC Academic Senate that because the above items were negotiated without prior consultation with the Academic Senate or the Curriculum Committee, the current Tentative Agreement was negotiated in violation of California Law, specifically *Education Code: § 87663 (f) Evaluation Procedures, Title 5 Section 55002.5, and Academic Senate Purview over the 10 + 1*, and

Resolved, the MSJC Academic Senate requests that the administration, Board of Trustees and faculty association convene to remove the above mentioned portions of the Tentative Agreement so that these items may be negotiated in the next round after following due process and consultation with the MSJC Academic Senate and Curriculum Committee.