

# **Ins and Outs of the 10+1 and Other Faculty Rights**

**Nick Strobel + Ann Tatum**

**Monday, August 15 1:30 to 2:30 in L160**

# Outcomes

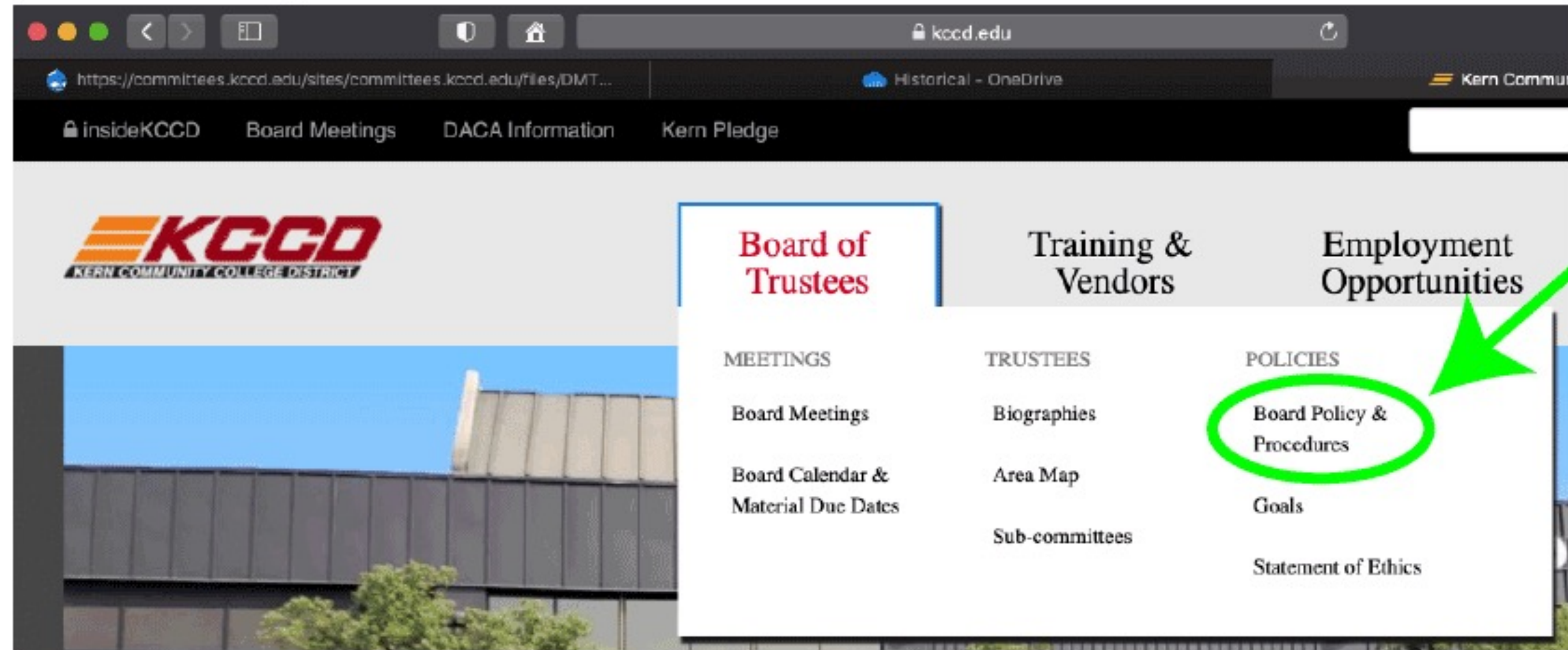
- Define the role of the Academic Senate and what is meant by “academic and professional matters”
- Summarize the ten AP matters of Title 5 § 53200 plus others given by Board and by Education Code
- Know your Weingarten Rights and when to get your union representative involved
- Locate and use resources on the Academic Senate’s, CCA, KCCCD’s, and Board Docs for being an effective voice of faculty in the decision-making processes

# Academic Senate

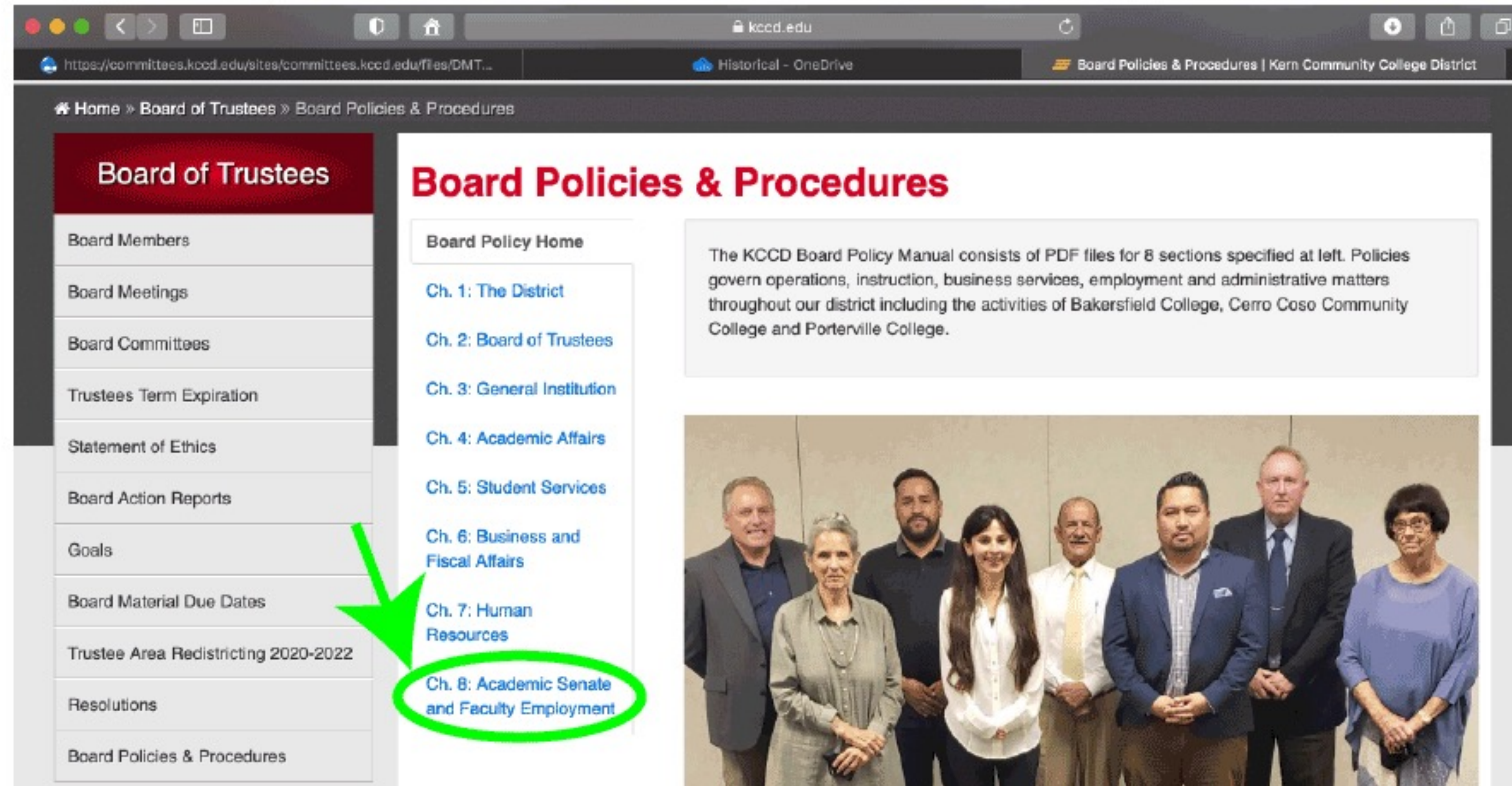
- AB 1725 in 1988
- Bakersfield College forms Academic Senate on April 12, 1989
- Academic Senate is the sole voice of the faculty for making recommendations to the Chancellor and Board of Trustees on academic and professional matters ([BP 8100](#))
- Academic and professional matters includes the “10+1” and a few others given in Education Code

# Getting to Board Policies and Procedures

1.



2.



# Board of Trustees

- Board Members
- Board Meetings
- Board Committees
- Trustees Term Expiration
- Statement of Ethics
- Board Action Reports
- Goals
- Board Material Due Dates
- Trustee Area Redistricting 2020-2022
- Resolutions
- Board Policies & Procedures

# Board Policy Chapter 8: Academic Senate and Faculty Employment

- [Board Policy Home](#)
- [Ch. 1: The District](#)
- [Ch. 2: Board of Trustees](#)
- [Ch. 3: General Institution](#)
- [Ch. 4: Academic Affairs](#)
- [Ch. 5: Student Services](#)
- [Ch. 6: Business and Fiscal Affairs](#)
- [Ch. 7: Human Resources](#)
- [Ch. 8: Academic Senate and Faculty Employment](#)**

Title	Board Policy	Administrative Procedure
BP 8100: Recognition of Academic Senates	<a href="#">BP 8100 PDF</a>	
BP 8200: Responsibilities of the College Academic Senates	<a href="#">BP 8200 PDF</a>	
BP 8300: Recommendation and Consultation	<a href="#">BP 8300 PDF</a>	
BP 8400: Scope	<a href="#">BP 8300 PDF</a>	
BP 8500: Implementation	<a href="#">BP 8500 PDF</a>	
BP 8600: Review and Revision	<a href="#">BP 8600 PDF</a>	
BP 8700: Faculty Hiring	<a href="#">BP 8700 PDF</a>	<a href="#">AP 8700 PDF</a>
BP 8800: Adjunct Employment	<a href="#">BP 8800 PDF</a>	<a href="#">AP 8800 PDF</a>
BP 8900: Temporary Full-time Faculty Employment	<a href="#">BP 8900 PDF</a>	<a href="#">AP 8900 PDF</a>

# Title 5 § 53200 “10+1” (BP 8100)

- Curriculum, including establishing prerequisites and placing courses within disciplines
- Degree and certificate requirements
- Grading policies
- Educational program development
- Standards or policies regarding student preparation and success
- College governance structures, as related to faculty roles
- Faculty roles and involvement in accreditation processes, including self-study and annual reports
- Policies for faculty professional development activities
- Processes for program review
- Processes for institutional planning and budget development (these ten are “rely primarily upon”)
- Other academic and professional matters as mutually agreed upon between the governing board and the academic senate

# Other Academic & Professional Matters in Education Code

- Determinations of minimum qualifications and equivalency ([BP 8700](#))
- Hiring criteria, policies, and procedures ([BP 8700](#))
- Administrative retreat rights ([BP 7250](#))
- Tenure evaluation procedures (union consults with Academic Senate)
- Faculty evaluation procedures (union consults with Academic Senate)
- Faculty service areas (union consults with Academic Senate)

# Other Academic and Professional Matters in Board Policy

- Rely Primarily Upon: (ch 4) academic calendar; program, curriculum and course development; program review; academic freedom; guest lecturers/classroom and campus visitors; library and learning support services; articulation; university transfer agreements; delineation of function agreements; graduation requirements for degrees and certificates; independent study; distance education; nursing programs; honorary degrees, standards of scholarship; non-degree applicable basic skills courses; course repetition, grading and academic record symbols; grade changes; credit for prior learning; credit from other institutions; academic renewal; probation, dismissal, and readmission; prerequisites and co-requisites; field trips and excursions; controversial issues in curriculum // (ch 5) admissions & concurrent enrollment; instructional materials; student success and support programs // (ch 6) budget preparation // (ch 7) supervisors and managers
- Process of mutual agreement: (ch 7) educational administrators

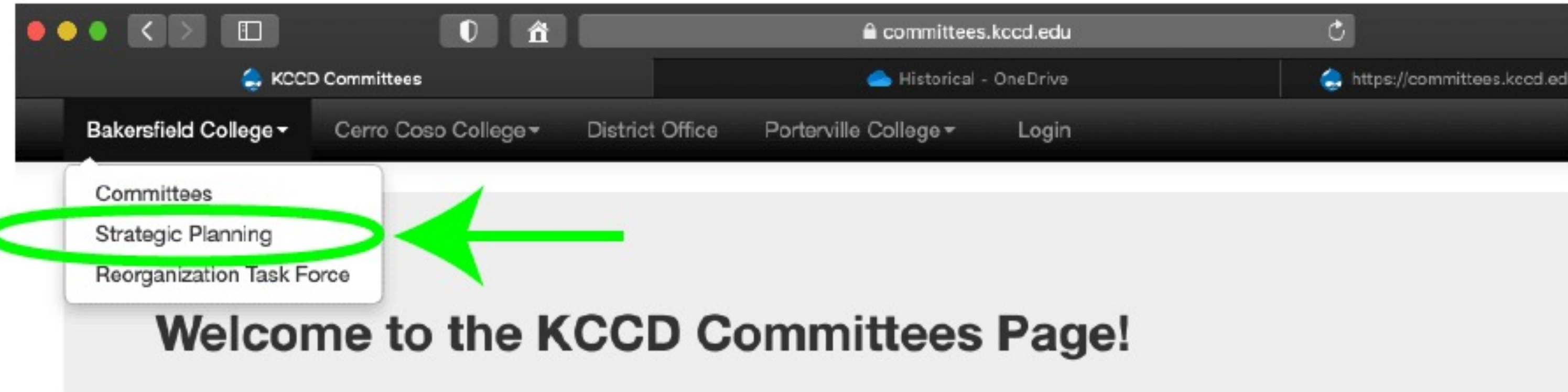


# Committees Relationship to Academic Senate

- Process for committee charge approval
- Required to review charge at beginning of academic year = fall to spring
- Senate interviews committee chairs and sends recommendation to College President who makes final appointment
- Senate ensures decision-making processes are followed but not micromanage committee decisions.
- Committees report recommendations and other actions at Senate meeting

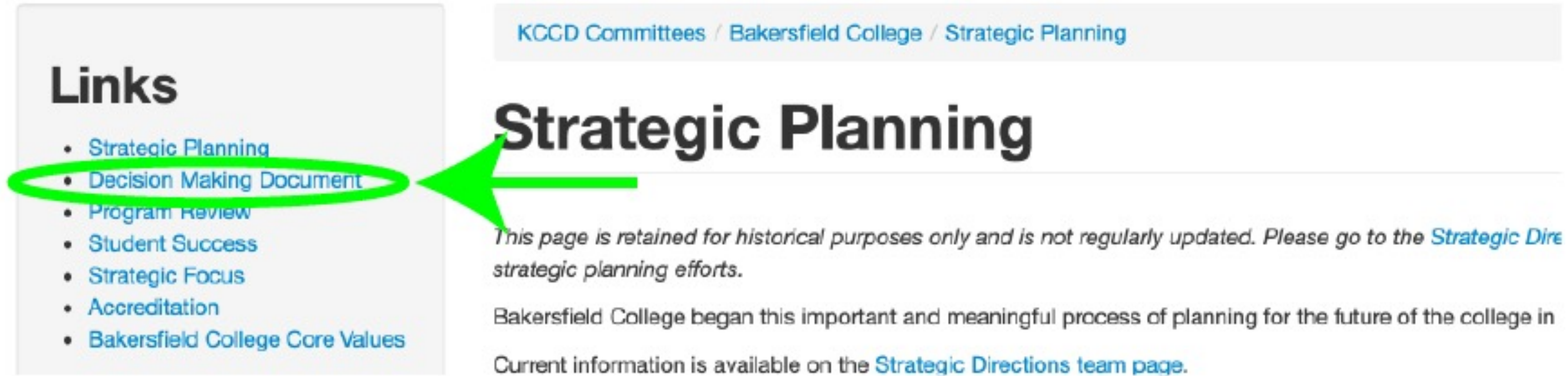
# Getting to the Decision-Making Document

1.



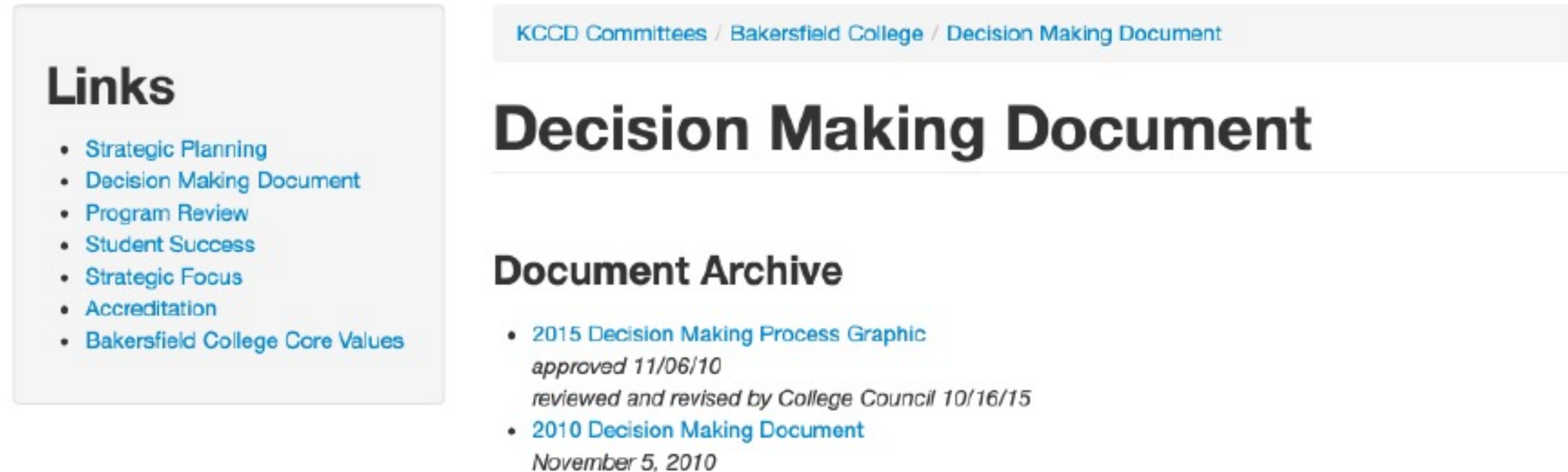
A screenshot of a web browser showing the KCCD Committees website. The browser's address bar displays "committees.kccd.edu". The navigation menu includes "Bakersfield College", "Cerro Coso College", "District Office", "Porterville College", and "Login". A dropdown menu is open under "Bakersfield College", with "Strategic Planning" highlighted by a green oval and a green arrow pointing to it. Below the navigation menu, a large grey banner reads "Welcome to the KCCD Committees Page!".

2.



A screenshot of the "Strategic Planning" page. The breadcrumb trail at the top reads "KCCD Committees / Bakersfield College / Strategic Planning". On the left, a "Links" sidebar contains a list of items, with "Decision Making Document" circled in green and a green arrow pointing to it. The main content area features the heading "Strategic Planning" and a paragraph: "This page is retained for historical purposes only and is not regularly updated. Please go to the [Strategic Directions](#) page." Below this, another paragraph states: "Bakersfield College began this important and meaningful process of planning for the future of the college in 2010. Current information is available on the [Strategic Directions team page](#)."

3.



A screenshot of the "Decision Making Document" page. The breadcrumb trail at the top reads "KCCD Committees / Bakersfield College / Decision Making Document". On the left, a "Links" sidebar contains a list of items, with "Decision Making Document" circled in green and a green arrow pointing to it. The main content area features the heading "Decision Making Document" and a section titled "Document Archive" with a list of items: "2015 Decision Making Process Graphic approved 11/06/10 reviewed and revised by College Council 10/16/15" and "2010 Decision Making Document November 5, 2010".

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# Senate website + Board Docs

- What's on the [Senate website](#)
- How to get to [Board Docs](#) (3 ways)

# KCCD CCA

- Union representation at Bakersfield College: Kern Community College District Community College Association
- CCA is under NEA and CTA
- Represents all faculty (full- and part-time) at all three colleges (Bakersfield, Cerro Coso, and Porterville)—all faculty are “members,” but only dues paying members have access to all benefits (such as legal representation)
- Collective Bargaining and Weingarten Rights

# Collective Bargaining

- “a mutual exchange of positions followed by agreement” –NEA
- Member surveys—bargaining—discussion/ratification (only dues-paying members vote)
- The result: a Collective Bargaining Agreement or CBA (aka “the contract”)
- CBAs take precedence over Board Policy, but CA Ed Code, Labor Laws, and Criminal/Civil Laws take precedence over CBAs
- Mainly covers working conditions (as allowed by law)

# Where to Find the CBA

- A copy is posted at the KCCCD Human Resources website: <https://www.kccd.edu/departments/human-resources>
- A copy (plus a “tracked changes” copy) is posted on the KCCCD CCA website: <http://www.kccdcca.com/faculty-contract.html>
- You can request a paper copy from Human Resources.

# Weingarten Rights

- 1975 U.S. Supreme Court Decision: NLRB vs. J. Weingarten (The position of the NLRB was upheld):
- “If an employee has a reasonable belief that discipline or other adverse consequences may result from what he or she says, the employee has the right to request union representation. When the employee makes the request for a union representative to be present, management has three options:
  - 1) it can stop questioning until union representation arrives,
  - 2) it can call off the interview or,
  - 3) it can tell the employee that it will call off the interview unless the employee voluntarily gives up his/her rights to union representation (an option the employee should always refuse).”



# Weingarten and the CBA

- Because Weingarten is a legal right, it does not have to be in any contract for it to apply to all faculty when meeting with management. We do have it listed as part of progressive corrective action:
- “At all stages of the progressive corrective action process, faculty members have the right to CCA representation. Faculty members may also request CCA representation in cases when they reasonably believe that the meeting may lead to disciplinary action.” (Article 14.C.3)
- Management does NOT have to inform you of this right.

# Need a Rep?

- Any member may serve as a rep, even if they are not part of the Executive Council (but official reps and officers *may* have more experience).
- You can find current representatives' names and contact info on the CCA website under "[Governance](#)."
- You can always start with your campus chair: Ann Tatum (atatum@bakersfieldcollege.edu)