

COLLEGE OF THE CANYONS ACADEMIC SENATE
Procedures for Determination of Seniority

CREATION OF THE SENIORITY LIST

Seniority among the full-time faculty is utilized for a variety of different college, Ed Code, and negotiated procedures. As such it is essential to maintain an accurate record of full-time faculty seniority. Procedures to determine seniority are based on Ed Code 87414/87415

Seniority is based on the official first day of paid service at the start of the probationary contract (Prior service as an adjunct or other temporary employment with the District does not apply to establishing seniority). If more than one person has the same start date, a random lottery will be held within 30 days of the first day of service.

A date will be established when all newly hired faculty members are able to participate in the lottery. If a new faculty member is unable to attend, they must designate their Department Chair or another faculty member to select their lottery number.

Once the lottery is completed, the Senate President will report the results of the lottery to the Vice President of Human Resources; copies will also be sent to the Instruction Office as well as each individual participating in the lottery.

The full-time faculty seniority list will be published at the first Senate meeting of every Fall semester. If there are hires made during a Fall semester, the full-time faculty seniority list will be published again at the first Senate meeting of the Spring semester. This list will be ratified annually by a vote of the Academic Senate.

ERRORS IN THE SENIORITY LIST

The annual ratification of the seniority list by the Senate is a formal record that the seniority list has been made public. The Senate may not change the order of the list. [*Ed Code 87415: "The order once determined by lot shall be permanent"*]

If a faculty member believes that there is a clerical error in the seniority list, they should contact the Vice President of Human Resources and/or the Academic Senate President and provide documentation to support their claim.

The Senate President (or designee), the Vice President of Human Resources, and a third member of the Academic Senate will review the claim of inaccuracy. They will report the findings to the full Academic Senate, who will vote to recommend or not to recommend the claim of inaccuracy.

The recommendation of the Senate will be forwarded to the Board of Trustees, who have the legal responsibility to make any corrections to the seniority list (Ed Code 87415).

As an "Other Professional or Academic Matter" the Board should try to reach Mutual Agreement with the Senate, in accord with Board Policy 7215.

ADMINISTRATOR PLACEMENT ON THE FACULTY SENIORITY LIST

Individuals who are tenured ("regular") employees before being hired by the college as an administrator retains all of the right as tenured faculty members (*Ed Code 87454*). Since they have not forfeited their position as a regular employee, they do not forfeit their position on the seniority list and will continue as regular (tenured) employees. (*Ed Code 87414*)

Individuals who have been hired as administrators who have not earned faculty tenure are not considered regular or probationary employees. If they exercise their right to be assigned to the classroom, the position on the seniority list is based on the date of their first paid service as a probationary faculty member. (*Ed Code 87458*)

Policy Committee Proposal:
Procedures for Determination of Seniority

DISCUSSION BACKGROUND

The following are notes that were included during the drafting of this procedure. While it is not an official part of the final approved document, they are retained here since they can give some insight into the “sense of the Senate” during the drafting and adoption of these procedures.

In addition to the background material, various footnotes were inserted into the discussion documents at the Senate meetings. Although they were not included in the final approved document, they are retained here for historical purposes.

BACKGROUND:

Seniority among full-time faculty members is a factor in a variety of different procedures and processes. Although the foundation for determining faculty seniority is established in Ed Code, the specific process and procedures is not detailed in that document.

The process that we adhere to at COC is, to a large extent, based on custom, tradition, and other forms of unwritten “Tribal Lore”. The only formal description of how to establish seniority is buried in the Office Allocation procedures.

This document is the result of reviewing Faculty Office Procedures. It was determined that it was best to make Seniority Determination a stand-alone procedure. It was also determined to codify our unwritten traditions.

The only “new” procedures proposed:

- ✓ Creating the ability for newly hired full-time faculty members to designate their chairs to choose their lottery number for them. This will expedite the establishment of seniority determination among new hires.
- ✓ Clarification of procedures to address seniority list errors. If adopted, this would necessitate that we request an addition to the list of items that fall under the “Mutual Agreements” with the Board of Trustees.

The remaining revisions are formal articulation of past practice/Ed Code requirements.

- ✓ Formalizing who will receive a copy of the lottery results.
- ✓ Clarification of tenure and seniority status for administrators who had tenure and then return to the classroom, and for those administrators who choose to retreat to the classroom.

In-text footnotes

<i>Item in text</i>	<i>Footnote</i>
<p>Seniority among the full-time faculty is utilized for a variety of different college, Ed Code, and negotiated procedures. As such it is essential to maintain an accurate record of full-time faculty seniority.</p>	<p>Not to open a Pandora’s Box but...what about the question of Adjunct seniority? How is it determined? Who, and how, tracks adjunct seniority?</p>
<p>If more than one person has the same start date, a random lottery will be held within 30 days of the first day of service.</p>	<p>Unfortunately past practice and Ed Code does not appear to allow a newly hired full time faculty member who has prior experience as an adjunct in the college any advantage over a newly hired faculty member who had no prior experience with the college. Throughout Ed Code there is a definite distinction between regular (Tenured); Contract (Probationary/Tenure Track) and Temporary (adjunct) employees. Section 87602 defines a contract faculty member as an individual who is probationary (i.e., tenure-track) and a regular employee is an individual who has faculty tenure (interestingly, Section 87612 allows for part-time tenured faculty members). Section 87485.5 defines adjuncts as “temporary” employees.</p>
<p>A date will be established when all newly hired faculty members are able to participate in the lottery. If a new faculty member is unable to attend, they may designate their Department Chair or another faculty member to select their lottery number.</p>	<p>Sometimes new faculty members may not be able to arrive in Santa Clarita until a few days prior to the start of instruction. In the past this has created a roadblock by delaying the implementation of the office allocation procedures. This section provides some flexibility to conduct the lottery at an earlier time.</p>
<p>As an “Other Professional or Academic Matter” the Board should try to reach Mutual Agreement with the Senate, in accord with Board Policy 7215.</p>	<p>The Academic Senate cannot unilaterally amend what is or what is not an item for “Mutual Obligation” under Board Policy</p>