

February 11, 2016

Steven Filling, Chair  
Academic Senate of the California State University  
401 Golden Shore  
Long Beach, CA 90802

Jennifer Eagan, President  
California Faculty Association  
1110 K Street  
Sacramento, CA 95814

Re: Academic Freedom Policy Discussions

Dear Chair Filling and President Eagan:

This letter is to follow up on your email message of January 25, 2016, which we understand to be in response to our letter to Chair Filling dated January 19, 2016. As noted in our letter, because any changes to the current academic freedom policy may impact the terms and conditions of employment as defined in the HEERA, and because CSU recognizes CFA as the exclusive bargaining representative for the CSU faculty, we recognize that any changes to the current policy may require negotiations with CFA. We also noted that the HEERA permits us to consult with the ASCSU. We concluded, however, that absent a written bargaining waiver from the CFA on the issue, we are limited in our ability to engage the ASCSU further.

Our letter outlined two possibilities. First, if CFA was not willing to waive bargaining regarding the issue, we would be willing to engage the ASCSU and CFA jointly and seek a jointly-negotiated agreement. As a second possibility, we would welcome any comments the ASCSU wishes to provide prior to negotiation with the CFA.

Your January response (on behalf of the ASCSU and CFA) appears to have accepted our suggestion for a single joint negotiation over our draft revision to the academic freedom policy. We would like to confirm our understanding of your message. Accordingly, we write to request specific written clarification that CFA agrees that our joint meetings and discussions with representatives from the ASCSU and the CFA regarding the draft revised policy will satisfy our obligations to bargain with the CFA over any issues related to the academic freedom policy that may be within scope. If this is not the case, we look forward to receiving any input the ASCSU wishes to provide prior to our negotiations with the CFA regarding any bargainable issues.

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In regard to membership, while we appreciate your identification of representatives from the ASCSU and CFA to participate in our discussions, because the joint meetings contemplated in our January 19<sup>th</sup> letter will be formal negotiations under the HEERA, we do not plan to identify any specific CSU administration representatives, but instead will include those representatives that we believe necessary and appropriate to the particular items under discussion at any one time. Those representatives will likely include staff from Academic and Student Affairs, Labor Relations/Human Resources and the Office of General Counsel.

We look forward to CFA's confirmation that its participation in the contemplated joint discussions will satisfy any and all CSU obligations to meet and confer with CFA over any matters that arise regarding the revision of the academic freedom policy that are within the scope of bargaining. Further, that once an agreement is reached in those discussions, the CSU will have no further bargaining obligations with respect to the agreed upon policy.

Sincerely,

Loren J. Blanchard  
Executive Vice Chancellor for Academic and Student Affairs

Lori Lamb  
Vice Chancellor for Human Resources

Fram Virjee  
Executive Vice Chancellor and General  
Counsel

cc: Timothy White, Chancellor