

Resource Guide to Governance and Decision-making



SANTA BARBARA CITY COLLEGE

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Santa Barbara City College
Resource Guide to Governance and Decision-making

Introduction

Roles of Constituents in Governance and Decision-making

- Board of Trustees
- Superintendent/President
- Faculty
- Staff
- Students
- Administrators

Types of Groups

- Governance Groups
- Organizational Groups
- Ad Hoc Groups

SBCC Governance Groups

- Academic Senate
 - Curriculum Advisory Committee
- Associated Students (Student Senate)
- Classified Consultation Group
- College Planning Council

SBCC Organizational Groups

- Board Policy and Administrative Procedures
- Deans' Council
- District Technology Committee
- Executive Council

SBCC Ad Hoc Groups

Appendices

- A. Working Conditions Groups
- B. California Code of Regulations for Collegial Consultation
 - Academic Senate (Title 5, Sections 53200 - 53206)
 - Staff (Title 5, Section 51023.5)
 - Students (Title 5, Section 51023.7)

Board Policies are available online at

http://www.sbcc.edu/boardoftrustees/board_policies_procedures.php

INTRODUCTION

Santa Barbara City College's (SBCC) approach to governance and decision-making is based on a partnership among Board members, faculty, staff, administration, and students. The constituent groups are united by a collective, shared vision that student success is the goal of everyone's work at SBCC.

The purpose of this resource guide is to describe the governance and decision-making processes by which SBCC ensures that there are opportunities for meaningful collaboration and that the voices of the constituent groups are heard in making decisions. This document includes the purpose, membership, and reporting structure for each group.

This *Santa Barbara City College Resource Guide to Governance and Decision-making* is reviewed and updated annually to maintain credibility as a valuable resource. The annual update prepared by College Planning Council reflects minor changes, such as in descriptions, timelines, or processes. In addition to this annual review of content, the processes described in this document are periodically assessed by the College Planning Council. This assessment occurs as part of SBCC's assessment of its planning processes. Following this assessment, the College Planning Council reviews the results and recommends revisions to decision-making processes as warranted based on that assessment. The *Santa Barbara City College Resource Guide to Governance and Decision-making* is then updated to reflect any agreed-upon changes. Through these two review processes, one completed on an annual basis and one completed periodically, this document is maintained to reflect the inevitable changes in decision-making processes that are to be expected as part of SBCC's cycle of continuous quality improvement.

ROLES OF CONSTITUENTS IN GOVERNANCE AND DECISION-MAKING

The constituents in SBCC participate in making decisions appropriate in scope to their roles within the college. The role in making decisions for each constituency described below is derived from the California Code of Regulations, SBCC Board Policies, and SBCC practices, procedures and job descriptions. The relevant sections of the California Code of Regulations are included in the appendix of this document.

Board of Trustees

The role of the Board of Trustees in making decisions is to determine policy and to serve as SBCC's legal and fiduciary body.

The Board of Trustees maintains, operates, and governs the total operations of the entire district in accordance with all applicable laws and regulations. As an independent policy-making body responsible for policies as well as legal and fiscal issues, the Board's ultimate responsibility is to ensure that the SBCC mission is fulfilled and that SBCC's financial resources are dedicated to providing sound educational programs.

The Board of Trustees consists of seven locally elected Trustees who represent areas within the district. One trustee is elected by the qualified voters from each of the seven trustee areas to serve four-year terms. The Board annually elects a president and vice president from among its members and the Superintendent/President serves as the Board Secretary.

A student trustee is elected annually in a general student election. The Student Trustee provides a student perspective on the issues facing the Board. The Student Trustee receives all materials sent to other members of the Board, except those pertaining to closed session matters; attend all open session board meetings; ask questions; participate in discussions; and cast an advisory, nonbinding vote on the matters that come before the Board.

California State Education Code Section 70902 identifies the Board of Trustees as the SBCC's legal and fiduciary body and outlines associated responsibilities. The Board affirms its role and responsibilities in *Board Policy 2200: Board Duties and Responsibilities*, which details a list of specific duties, including selecting and appointing the Superintendent/President.

Superintendent/President

The authority delegated to this position by the Board of Trustees determines the role of the SBCC Superintendent/President in making decisions.

The Superintendent/President is the chief executive officer of SBCC and as the sole employee of the Board is responsible directly to the Board. The Board delegates to the Superintendent/President the executive responsibility for administering the policies adopted by the Board and executing all decisions of the Board requiring administrative action. (See *Board Policy 2430: Delegation of Authority to Superintendent/President.*)

Faculty

The role of full- and part-time faculty members in making decisions at SBCC is to participate in:

- The development of recommendations to the Superintendent/President and Board of Trustees on academic and professional matters as outlined in state regulations and
- The processes for developing recommendations that have or will have a significant effect on them.

The Academic Senate represents faculty members in academic and professional matters. As provided in *Board Policy 2510: Participation in Local Decision-Making*, the Board of Trustees recognizes the authority of the Academic Senate with respect to academic and professional matters in accord with provisions of Title 5 of the California Code of Regulations. In its policy, the Board agrees to consult collegially with the Academic Senate on the following academic and professional matters:

- 1 Curriculum, including the establishment of prerequisites and placing courses within disciplines.
- 2 Degree and certificate requirements.
- 3 Grading policies.
- 4 Educational program development.
- 5 Standards or policies regarding student preparation and success.
- 6 District and College governance structures as related to faculty roles.
- 7 Faculty roles and involvement in accreditation processes, including self-study and annual reports.
- 8 Policies for faculty professional development activities.
- 9 Processes for program review.
- 10 Processes for institutional planning and budget development .
- 11 Other academic and professional matters as mutually agreed upon between the governing board and the academic senate.

Faculty hiring processes are included as academic and professional matters and the Board has agreed to consult collegially with the Academic Senate on these processes.

A resource describing the role of the Academic Senate in governance and decision-making is the California Code of Regulations Title 5, Section 53200 included in the appendix of this document.

Classified and Confidential Staff

The role of classified and confidential staff members in making decisions is to participate in:

- The development of recommendations to the Superintendent/President on issues that have or will have a significant effect on them and
- The processes for developing those recommendations.

The specific matters identified as having a significant effect on classified staff are identified in the California Code of Regulations Title 5, Section 51023.5 included in the appendix of this document.

Board Policy 2510 Participation in Local Decision-Making affirms that recommendations and positions developed by classified and confidential staff will be given every reasonable consideration prior to action on a matter having a significant effect on them.

Students

The role of students in making decisions at SBCC is to participate in:

- The development of recommendations to the Superintendent/President on issues that have or will have a significant effect on them and
- The processes for developing those recommendations.

The following specific matters are identified in the California Code of Regulations Title 5, Section 51023.7 as having a significant effect on students:

- 1 Grading policies.
- 2 Codes of student conduct.
- 3 Academic disciplinary policies.
- 4 Curriculum development.
- 5 Courses or programs that should be initiated or discontinued.
- 6 Processes for institutional planning and budget development.
- 7 Standards and policies regarding student preparation and success.

- 8 Student services planning and development.
- 9 Student fees within the authority of the district to adopt.
- 10 Any other district and college policy, procedure or related matter that the district governing board determines will have significant effect on students.

The Board recognizes the Santa Barbara City College Associated Student organization as the official voice for students (*Board Policy 5400: Students Organizations*). In accordance with *Board Policy 2510 Participation in Local Decision-Making*, the Associated Student organization is given an opportunity to participate effectively in the formulation and development of policies and procedures that have a significant effect on them, and the recommendations and positions of the Associated Student organization are given reasonable consideration.

Administrators

The role of administrators in making decisions at the college is determined by the scope of responsibility and authority delegated in job descriptions for administrative positions.

Although there are position-specific representative duties, in general SBCC administrators are responsible to:

- Plan, organize, control and direct assigned programs.
- Coordinate and direct communications, personnel, projects and resources to meet college needs and oversee assigned activities.
- Assure that program implementation satisfies established college, state and federal standards, requirements, laws, codes, rules, regulations, policies and procedures.
- Supervise and evaluate the performance of assigned faculty and classified personnel and assure that the work of these employees complies with established standards, requirements, and procedures.
- Interview potential employees and recommend hiring, transfers, and reassignment.
- Monitor and analyze assigned operations, activities, departments and programs to determine educational and financial effectiveness and operational efficiency.
- Provide consultation and technical expertise to administrators, faculty and others concerning assigned programs and related standards, requirements, practices,

schedules, strategies, plans, goals, objectives, laws, codes, regulations, polices and procedures.

- Develop and prepare the annual preliminary budget for assigned programs; analyze and review budgetary and financial data.

TYPES OF GROUPS

Within this context of a primary focus on students, governance and decision-making at SBCC is grounded in respect for the role and scope of authority for each constituency. Key committees have representation from the various constituent groups and members understand that they are responsible to their particular constituency in two ways: to share input from the constituent group to the committee and to share information and dialogue from the committee with their constituent group. Committee members also understand that their collective work product is a recommendation that is subsequently forwarded to the next individual or group in the decision-making process.

The SBCC groups that provide recommendations in governance and decision-making processes are organized into three categories based on the group's responsibilities and its source of authority. The groups in all three categories are essential to the involvement of the SBCC community in both being informed about issues of college-wide importance, making decisions, and serving as conduits of information to and from the constituents. The membership in each type of group is determined by the source of authority on which the group is based.

1 Governance Groups

Governance groups are those whose authority is derived from law and regulation, either as written expressly in the law/regulation or as delegated by another group that possesses said authority. Members of governance groups represent specific constituencies and as such, serve as a liaison to bring information from the constituent group into the dialogue and from the governance group back to their constituents. Examples of governance groups are the Academic Senate, Student Senate, and Classified Consultation Group.

2 Organizational Groups

Organizational groups assist the Superintendent/President in implementing the Board's plans and policies by coordinating operational, procedural, and policy implementation. The authority for the members of organizational groups is derived from the Board of Trustees or the Superintendent/President through the assignment of responsibilities on job descriptions and appointment to positions. Membership in SBCC organizational groups is determined by the position held within the college. Examples of organizational groups are Deans' Council, Managers' Group, and Executive Council.

3 Ad Hoc Groups

Ad Hoc Groups are formed to create a venue for dialogue and work on topics or projects that require timely and concentrated energy. Instead of being required by law or

regulation, these groups are charged by the Superintendent/President or a governance group to perform specific functions that benefit the entire college. Membership in an ad hoc group is either voluntary or by appointment.

SBCC GOVERNANCE GROUPS

Governance groups are those whose authority is derived from law and regulation, either as written expressly in the law/regulation or as delegated by another group that possesses said authority. Members of SBCC governance groups represent specific constituencies and as such, serve as liaisons to bring information from the constituent groups into the dialogue and from the governance group back to their constituents. There are four SBCC governance groups:

- Academic Senate
- Associated Students (Student Senate)
- Classified Consultation Group
- College Planning Council

The primary role and responsibility of each group is described in the **Purpose** on the following pages.

Academic Senate

Purpose

The Academic Senate is a governance and consultative body that represents the SBCC faculty. The term faculty includes all classroom instructors and non-administrative staff required to meet minimum qualifications for faculty as outlined in AB 1725 that are employed either full-time or part-time. The Academic Senate represents the faculty in collegial governance relating to academic and professional matters as defined in Board policy and the California Code of Regulations as described previously in this document.

The Academic Senate meets at least twice monthly to:

- Serve as a forum for consideration of matters of significance to faculty;
- Review and recommend policies concerning academic issues to appropriate college units, Superintendent/President, and Board of Trustees;
- Advise the Superintendent/President and the Board of Trustees in matters of faculty concern;
- Define faculty goals, priorities, strategies, and makes recommendations to appropriate college units;
- Function as an academic planning body for the college in pursuit of its mission;
- Defines academic priorities for allocations of resources with input from the Office of Educational Programs;
- Review resource requests from academic units, and recommends specific resource allocations to the College Planning Council;
- Constitute, oversee, and maintain Academic Senate committees;
- Assign faculty to Academic Senate committees and college-wide committees;
- Submit an annual written report summarizing the activities of the Academic Senate to Administration, Board of Trustees and Senators and makes report available to all tenure track faculty.

Membership

- Three Academic Senate Officers: President, Vice President, and President-Elect or Immediate Past President
- One or two senators representing each of the following academic areas:
 - Business Education Division
 - Educational Support Division
 - English/English Skills Division
 - Fine Arts Division

- Modern Languages/ESL Division
- Health and Human Services Division
- Mathematics Division
- Physical Education/Athletics Division
- Sciences Division
- Social Science Division
- Technologies Division
- Adjunct Faculty

The number of senators representing a division is contingent on the number of faculty in the division; divisions with fewer than 26 tenure-track faculty have one senator and divisions with 26 or more tenure-track faculty have two division senators.

- Student Senate Representative (non-voting)
- Executive Vice President of Educational Programs (non-voting)

The Academic Senate conducts its business through the efforts of the following standing and ad hoc committees:

- Academic Policies Committee

Purpose:

 - 1 Recommends policies to protect academic freedom and scholastic standards and policies for evaluation of faculty.
 - 2 Reviews applications and makes recommendations for salary class transfer.
 - 3 Makes recommendations on faculty requests to waive committee service.
 - 4 Makes recommendations on appeals regarding teacher load policy issues.
 - 5 Reviews and makes recommendation to Academic Senate for action when integrity of a faculty member is questioned.
 - 6 Reviews policy and procedures for assignment of faculty to Faculty Service Areas (FSAs).
 - 7 Reviews requests and assigns faculty to FSAs.

- Committee on Teaching and Learning

Purpose:

 - 1 Identify and facilitate the incorporation of strategies that enhance student success in the classroom and through campus learning support services (Library and LRC).
 - 2 Work closely with instructional faculty and Student Services to integrate student success initiatives campus-wide.

- 3 Serve as liaison between faculty and Library staff on policies affecting utilization of the library, its resources and other faculty matters.
 - 4 Serve as liaison between faculty and Learning Support Services staff on policies affecting utilization of the Learning Support Services, its resources and other faculty matters.
 - 5 Provide oversight and general direction on tutorial allocations, and policies for operation of the LSS (Library/LRC).
- Faculty Professional Development
Purpose:
 - 1 Provides advice and support for Director of Faculty Resource Center/Faculty Professional Development.
 - 2 Reviews and approves FPD activities. Reviews/revises/updates FPDC Guidelines annually or as needed.
 - 3 In cooperation with the Office of Educational Programs and Director of FPD, plans, develops, and implements faculty in-service days.
 - 4 Recommends and participates in planning FPD activities.
 - 5 Hears appeals from faculty relating to professional development activities.
 - 6 Reviews applications for FPD funding and recommends awards.
 - Faculty Recognition Committee
Purpose: The purpose of Faculty Professional Development is to provide time for faculty to participate in development activities that are related to “staff, student, and instructional improvement.” (Title 5, sec. 55720). The Faculty Professional Development Committee, in cooperation with the Director of Faculty Professional Development, is the oversight body for determining the appropriateness of all Faculty Professional Development activities.
 - Instructional Technology Committee
Purpose:
 - 1 Provide guidelines and leadership in the development of the instructional technology plan for Educational Programs.
 - 2 Serve as advisory committee to the Faculty Resource Center.
 - 3 Review proposals and make recommendations for funding of requests to acquire computer technology.
 - 4 Provide guidelines and makes recommendations for campus-wide software and platform upgrades and decisions.
 - 5 Serve as a liaison to the District Technology Committee.

- Planning and Resources

Purpose:

 - 1 Establishes and maintains liaison with the Offices of Educational Programs and Business Affairs.
 - 2 Meets at least once each semester with the Educational Programs Executive Vice President and Deans to clarify academic goals and identify major initiatives that facilitate achievement of stated goals.
 - 3 Establishes and reviews academic priorities and the philosophical framework that drives the budget planning process.
 - 4 Develops policy regarding faculty consultation on academic initiatives and resource issues.
 - 5 Makes recommendations from Educational Programs and the faculty regarding budget priorities and major academic initiatives.
 - 6 Serves as expert faculty resource committee on academic-related budget issues.

- Sabbatical Leave Committee

Purpose:

 - 1 Assists faculty in preparing sabbatical leave proposals and reports.
 - 2 Reviews, updates and circulates the Sabbatical Leave Handbook.
 - 3 Establishes criteria for proposals and reports using the Board of Trustees policy on sabbatical leaves as a guideline.
 - 4 Reviews and makes recommendations on proposals and reports to the Academic Senate.

Academic Senate Subcommittee: Curriculum Advisory Committee

Purpose

As identified in Education Code 53200(c), the purpose of the Curriculum Advisory Committee is to:

- 1 Review and approve all proposed changes and additions to college curriculum.
- 2 Review other college functions related to curriculum.
- 3 Advise the Executive Vice-President, Educational Programs, on curriculum development.
- 4 Review the general education requirements and recommend changes as appropriate.

Membership

[To be Added]

Associated Students (Student Senate)

Purpose

The Associated Students organization (Student Senate) is a governance and consultative body that represents SBCC students in making recommendations on issues that have or will have a significant impact on them. The Board of Trustees recognizes this Associated Student organization as the official voice of the students.

The goals of the Associated Student organization (Student Senate) are to:

- 1 Ensure effective student representation in the SBCC participatory governance process;
- 2 Further cooperation and communication between and among students, faculty, classified staff, and the community;
- 3 Oversee the activities of student clubs and organizations; and
- 4 Monitor and assign use of the Student Representation fee to ensure that SBCC students are represented at local and statewide activities.

The Student Senate offers the following activities to SBCC students:

- Merchants' bazaars;
- Blood drives;
- Inter-club Council;
- Conferences and workshops;
- Political candidate forums; and
- Leadership seminars

Membership

Students are elected by the student body to serve in the Associated Students organization. Elections are held annually in the spring and student representatives are elected at large. Students interested in serving in this capacity apply to stand for election in one of these positions:

- President
- Vice President of Senate Affairs
- Vice President of External Affairs
- Vice President of Operations and Finance
- Student Trustee
- Public Relations Officer
- Student Advocate
- Commissioner of Clubs

Senator (8)

Classified Consultation Group

Purpose

The Classified Consultation Group is a governance and consultative body that represents the SBCC classified staff and CSEA on issues that will be addressed by the College Planning Council.

Membership

- Three classified staff members who serve on the College Planning Council
- Four representatives total from these areas:
 - Bookstore/Fiscal/Clerical/Confidential/Information Booth/Switchboard/Food Service/Library/Duplicating/Purchasing/Security/Facilities
- Two representatives from these areas:
 - Student Services/Health Services
 - Athletic/Instructional Support/Theater/Auto
- One representative from IT/Institutional Research
- One member at large

College Planning Council

Purpose

The College Planning Council meets twice monthly to:

- Make recommendations to the Superintendent/President on the budget, the integration of planning and resource allocation, and other matters of the college;
- Promote communication and foster an awareness among the students, faculty, classified staff and administration concerning the welfare, growth, and sustainable quality improvement at SBCC;
- Identify common areas of concern that require further study and forward these to the appropriate governance or operational group;
- Oversee the development, evaluation and integration of the Educational Master Plan; and
- Monitor compliance with accreditation standards related to college functions.

Membership

- Superintendent/President, Chair
- Executive Vice President
- Three Vice Presidents: Business Services, Human Resources, and Information Technology
- One representative of the Managers' Group
- Four representatives of the Academic Senate: President, Vice President, President-elect, and one faculty member appointed by the Academic Senate President
- Chair of Planning and Resources Committee (an Academic Senate sub-committee)
- One representative of Teamsters Union, Local 186, the supervisory bargaining unit
- President, CSEA
- Two representatives of Classified Consultation Group appointed by CSEA
- Senior Director of Institutional Assessment, Research and Planning (non-voting)
- Associated Student Senate President (non-voting)

SBCC ORGANIZATIONAL GROUPS

SBCC organizational groups coordinate operational, procedural and policy implementation. The authority for the members of organizational groups is through the assignment of responsibilities on job descriptions and appointment to positions within the college. Individuals other than those identified on this list are invited to attend meetings to share information or expertise as needed.

The organizational groups at SBCC are:

- Board Policies and Administrative Procedures
- Deans' Council
- District Technology Committee
- Executive Council

The purpose and membership of each of these organizational groups follow.

Board Policies and Administrative Procedures

Purpose:

- 1 Systematically review Board policies and administrative procedures to ensure that these are in compliance with ACCJC standards and state and federal laws and regulations.
- 2 Develop a schedule to address existing gaps in Board policies and administrative procedures.
- 3 Make recommendations to the Superintendent/President when revisions or additions to Board policies and administrative procedures are warranted.

Membership:

- Vice President, Human Resources (Chair)
- One manager appointed by the Superintendent/President
- One Dean appointed by Deans' Council
- Three faculty appointed by the Academic Senate
- Three classified staff appointed by the CSEA
- One student appointed by the Student Senate

Deans' Council

Purpose:

- 1 Advise the Executive Vice President on instructional and student services issues related to the budget; planning; accreditation; curriculum, and enrollment management
- 2 Implement administrative procedures and oversee the day-to-day operations of the SBCC instructional and student services

Membership:

- Executive Vice President (Chair)
- Six Deans
- One Associate Dean
- Academic Senate President
- Marketing and Publications Director
- Athletic Director

District Technology Committee

Purpose:

- 1 Make recommendations to the College Planning Council on IT planning priorities, new IT resources and requests, IT policies.
- 2 Oversee and implement the District Technology Plan.
- 3 Purchase and oversee installation of campus technology including both replacement and new hardware and software.
- 4 Assess the effectiveness of technology planning on each of the following five benchmarks: (1) customer needs and expectations; (2) empowerment of the individual; (3) efficient and effective operational processes; (4) maintaining a competitive edge; (5) and relevance to both the College Plan and the District Technology Plan.
- 5 Serve as technical support and resources to units of the College that using technology to serve students, faculty, staff, and community-based organizations.
- 6 Oversee and receive recommendations from two workgroups: Administrative Applications Workgroup and Technology Coordination Group.

Membership:

- Vice President, Information Technology (Chair)
- Vice President, Business Services
- Five faculty appointed by the Academic Senate, at least one of whom also serves on the Academic Senate's Instructional Technology Committee
- One representative from each of the following areas:
 - Continuing Education
 - Human Resources
 - Student Services
 - Educational Programs
- Three classified staff appointed by the CSEA
- Director, Network Services
- Director, User Support Services
- One student appointed by the Student Senate

Executive Council

Purpose:

- 1 Advise the Superintendent/President on matters of policy; budget; planning; accreditation; and other matters of the college.
- 2 Implement and administer policies, procedures, and day-to-day operations of the college.
- 3 Review and discuss implementation of policy decisions made by the Board regarding the operations of the college.

Membership:

- Superintendent/President (Chair)
- Executive Vice President
- Vice President, Human Resources
- Vice President, Information Services
- Vice President, Business Services

In addition to these organizational groups, the college conducts its business of serving students through the efforts of the following program-specific and department-specific organizational groups:

- Admissions: Student Outreach and Orientation
- Business Services Management Group
- Enrollment Management Committee
- EOPS/Financial Aid Advisory Committee
- Facilities/Safety/Security/Parking Advisory Committee
- Honors Advisory Committee
- International Education Advisory Committee
- Matriculation Advisory Committee
- Partnership for Student Success Committee
- Personnel Benefits Advisory Committee
- Portal Steering Committee
- Scholastic Standards Committee

SBCC AD HOC GROUPS

Ad Hoc Groups are formed to create a venue for dialogue and work on topics or projects that require timely and concentrated energy. Instead of being required by law or regulation, these groups are established as needed and are charged by the Superintendent/President or a governance group to perform specific functions that benefit the entire college. Membership in an ad hoc workgroup is either voluntary or by appointment.

APPENDIX A

Working Conditions Groups

SBCC employees are represented by collective bargaining or meet and confer groups for issues related to working conditions, such as salary, benefits, and workload. These working conditions groups are listed below.

Classified Staff: For matters related to working conditions within the scope of collective bargaining, classified staff are represented by the California Schools Employees Association, Chapter 289.

Confidential Staff: For matters related to working conditions, confidential employees are represented by the Confidential Employees' Meet and Confer Group.

Faculty: For matters related to working conditions within the scope of collective bargaining, permanent credit and credit adjunct faculty are represented by the Instructors' Association.

Managers: For matters related to working conditions, managers, including all educational administrators such as deans and directors, are represented by the Management Employees Meet and Confer Group.

Supervisors: For matters related to working conditions within the scope of collective bargaining, managers with "supervisor" in their position title are represented by the Teamsters Union, Local 186.

APPENDIX B

California Code of Regulations for Collegial Consultation

Title 5 § 53200. Definitions.

For the purpose of this Sub chapter:

- a “Faculty” means those employees of a community college district who are employed in positions that are not designated as supervisory or management for the purposes of Article 5 (commencing with Section 3540) of Chapter 10.7 of Division 4 of Title 1 of the Government Code, and for which minimum qualifications for hire are specified by the Board of Governors.
- b “Academic senate,” “faculty council,” and “faculty senate” means an organization formed in accordance with the provisions of this Sub chapter whose primary function, as the representative of the faculty, is to make recommendations to the administration of a college and to the governing board of a district with respect to academic and professional matters. For purposes of this Sub chapter, reference to the term “academic senate” also constitutes reference to “faculty council” or “faculty senate.”
- c “Academic and professional matters” means the following policy development and implementation matters:
 - 1 curriculum, including establishing prerequisites and placing courses within disciplines;
 - 2 degree and certificate requirements;
 - 3 grading policies;
 - 4 educational program development;
 - 5 standards or policies regarding student preparation and success;
 - 6 district and college governance structures, as related to faculty roles;
 - 7 faculty roles and involvement in accreditation processes, including self-studies and annual reports;
 - 8 policies for faculty professional development activities;
 - 9 processes for program review;
 - 10 processes for institutional planning and budget development; and
 - 11 other academic and professional matters as are mutually agreed upon between the governing board and the academic senate.
- d “Consult collegially” means that the district governing board shall develop policies on academic and professional matters through either or both of the following methods, according to its own discretion:

- 1 relying primarily upon the advice and judgment of the academic senate; or
- 2 agreeing that the district governing board, or such representatives as it may designate, and the representatives of the academic senate shall have the obligation to reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.

Title 5 § 53201. Academic Senate or Faculty Council

In order that the faculty may have a formal and effective procedure for participating in the formation and implementation of district policies on academic and professional matters, an academic senate may be established at the college and/or district levels.

Title 5 § 53202. Formation; Procedures; Membership.

The following procedure shall be used to establish an academic senate:

- a The full-time faculty of a community college shall vote by secret ballot to form an academic senate.
- b In multi-college districts, the full-time faculty of the district colleges may vote on whether or not to form a district academic senate. Such vote shall be by secret ballot.
- c The governing board of a district shall recognize the academic senate and authorize the faculty to:
 - 1 Fix and amend by vote of the full-time faculty the composition, structure, and procedures of the academic senate.
 - 2 Provide for the selection, in accordance with accepted democratic election procedures, the members of the academic senate.
- e The full-time faculty may provide for the membership and participation of part-time faculty members in the academic senate.
- f In the absence of any full-time faculty members in a community college, the part-time faculty of such community college may form an academic senate.

Title 5 § 53203. Powers.

- a The governing board of a community college district shall adopt policies for appropriate delegation of authority and responsibility to its college and/or district academic senate. Among other matters, said policies, at a minimum, shall provide that the governing board or its designees will consult collegially with the academic senate when adopting policies and procedures on academic and professional matters. This requirement to

consult collegially shall not limit other rights and responsibilities of the academic senate which are specifically provided in statute or other Board of Governors regulations.

- b In adopting the policies and procedures described in Subsection (a), the governing board or its designees shall consult collegially with representatives of the academic senate.
- c While in the process of consulting collegially, the academic senate shall retain the right to meet with or to appear before the governing board with respect to the views, recommendations, or proposals of the senate. In addition, after consultation with the administration of the college and/or district, the academic senate may present its views and recommendations to the governing board.
- d The governing board of a district shall adopt procedures for responding to recommendations of the academic senate that incorporate the following:
 - 1 in instances where the governing board elects to rely primarily upon the advice and judgment of the academic senate, the recommendations of the senate will normally be accepted, and only in exceptional circumstances and for compelling reasons will the recommendations not be accepted. If a recommendation is not accepted, the governing board or its designee, upon request of the academic senate, shall promptly communicate its reasons in writing to the academic senate.
 - 2 in instances where the governing board elects to provide for mutual agreement with the academic senate, and agreement has not been reached, existing policy shall remain in effect unless continuing with such policy exposes the district to legal liability or causes substantial fiscal hardship. In cases where there is no existing policy, or in cases where the exposure to legal liability or substantial fiscal hardship requires existing policy to be changed, the governing board may act, after a good faith effort to reach agreement, only for compelling legal, fiscal, or organizational reasons.
- e An academic senate may assume such responsibilities and perform such functions as may be delegated to it by the governing board of the district pursuant to Subsection (a).
- f The appointment of faculty members to serve on college or district committees, task forces, or other groups dealing with academic and professional matters, shall be made, after consultation with the chief executive officer or his or her designee, by the academic senate. Notwithstanding this Subsection, the collective bargaining representative may seek to appoint faculty members to committees, task forces, or other groups.

Title 5 § 53204. Scope of Regulations.

Nothing in this Subchapter shall be construed to impinge upon the due process rights of faculty, nor to detract from any negotiated agreements between collective bargaining representatives and district governing boards. It is the intent of the Board of Governors to respect agreements between academic senates and collective bargaining representatives as to how they will consult, collaborate, share, or delegate among themselves the responsibilities that are or may be delegated to academic senates pursuant to these regulations.

Title 5 § 53205. Duties Assigned by Administration and Governing Board.

No content included in this Regulation other than:

Note: Authority cited: Sections 66700, 71020, 71062 and 71079, Education Code. Reference: Sections 71079 and 72292, Education Code.

Title 5 § 53206. Academic Senate for California Community Colleges.

- a An Academic Senate for the California Community Colleges has been established through ratification by local academic senates or faculty councils so that the community college faculty of California may have a formal and effective procedure for participating in the formation of state policies on academic and professional matters.
- b The Board of Governors recognizes the Academic Senate of the California Community Colleges as the representative of community college academic senates or faculty councils before the Board of Governors and Chancellor's Office.

Title 5 § 51023.5. Staff.

- a The governing board of a community college district shall adopt policies and procedures that provide district and college staff the opportunity to participate effectively in district and college governance. At minimum, these policies and procedures shall include the following:
 - 1 Definitions or categories of positions or groups of positions other than faculty that compose the staff of the district and its college(s) that, for the purposes of this section, the governing board is required by law to recognize or chooses to recognize pursuant to legal authority. In addition, for the purposes of this section, management and non-management positions or groups of positions shall be separately defined or categorized.
 - 2 Participation structures and procedures for the staff positions defined or categorized.
 - 3 In performing the requirements of subsections (a)(1) and (2), the governing board or its designees shall consult with the representatives of existing staff councils, committees, employee organizations, and other such bodies. Where no groups or structures for participation exist that provide representation for the purposes of this section for particular groups of staff, the governing board or its designees, shall broadly inform all staff of the policies and

procedures being developed, invite the participation of staff, and provide opportunities for staff to express their views.

- 4 Staff shall be provided with opportunities to participate in the formulation and development of district and college policies and procedures, and in those processes for jointly developing recommendations for action by the governing board, that the governing board reasonably determines, in consultation with staff, have or will have a significant effect on staff.
 - 5 Except in unforeseeable, emergency situations, the governing board shall not take action on matters significantly affecting staff until it has provided staff an opportunity to participate in the formulation and development of those matters through appropriate structures and procedures as determined by the governing board in accordance with the provisions of this Section.
 - 6 The policies and procedures of the governing board shall ensure that the recommendations and opinions of staff are given every reasonable consideration.
 - 7 When a college or district task force, committee, or other governance group, is used to consult with staff regarding implementation of this section or to deal with other issues which have been determined to significantly affect staff pursuant to subdivision (a)(4), the appointment of staff representatives shall be made as follows:
 - A The exclusive representative shall appoint representatives for the respective bargaining unit employees, unless the exclusive representative and the governing board mutually agree in a memorandum of understanding to an alternative appointment process.
 - B Where a group of employees is not represented by an exclusive agent, the appointment of a representative of such employees on any task force, committee or governance group shall be made by, or in consultation with, any other councils, committees, employee organizations, or other staff groups that the governing board has officially recognized in its policies and procedures for staff participation.
 - C When the task force, committee or governance group will deal with issues outside the scope of collective bargaining, any other council, committee or staff group, other than an exclusive agent, that the governing board has officially recognized in its policies and procedures for staff participation may be allowed to designate an additional representative. These organizations shall not receive release time, rights, or representation on such task forces, committees, or other governance groups exceeding that offered to the exclusive representative of classified employees.
 - D In all cases, representatives shall be selected from the category that they represent.
- b In developing and carrying out policies and procedures pursuant to subsection (a), the district governing board shall ensure that its actions do not dominate or interfere with the formation or administration of any employee organization, or contribute financial or

other support to it, or in any way encourage employees to join any organization in preference to another. In addition, in order to comply with Government Code sections 3540, et seq., such procedures for staff participation shall not intrude on matters within the scope of representation under section 3543.2 of the Government Code. Governing boards shall not interfere with the exercise of employee rights to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations. Nothing in this section shall be construed to impinge upon or detract from any negotiations or negotiated agreements between exclusive representatives and district governing boards. It is the intent of the Board of Governors to respect lawful agreements between staff and exclusive representatives as to how they will consult, collaborate, share, or delegate among themselves the responsibilities that are or may be delegated to staff pursuant to these regulations.

- c Nothing in this section shall be construed to impinge upon the policies and procedures governing the participation rights of faculty and students pursuant to sections 53200-53204, and section 51023.7, respectively.
- d The governing board of a community college district shall comply substantially with the provisions of this section.

Title 5 §51023.7 Students

(a) The governing board of a community college district shall adopt policies and procedures that provide students the opportunity to participate effectively in district and college governance. Among other matters, said policies and procedures shall include the following:

- (1) Students shall be provided an opportunity to participate in formulation and development of district and college policies and procedures that have or will have a significant effect on students. This right includes the opportunity to participate in processes for jointly developing recommendations to the governing board regarding such policies and procedures.
- (2) Except in unforeseeable, emergency situations, the governing board shall not take action on a matter having a significant effect on students until it has provided students with an opportunity to participate in the formulation of the policy or procedure or the joint development of recommendations regarding the action.
- (3) Governing board procedures shall ensure that at the district and college levels, recommendations and positions developed by students are given every reasonable consideration.
- (4) For the purpose of this Section, the governing board shall recognize each associated student organization or its equivalent within the district as provided by Education Code Section 76060, as the representative body of the students to offer opinions and to make

recommendations to the administration of a college and to the governing board of a district with regard to district and college policies and procedures that have or will have a significant effect on students. The selection of student representatives to serve on college or district committees, task forces, or other governance groups shall be made, after consultation with designated parties, by the appropriate officially recognized associated student organization(s) within the district.

(b) For the purposes of this Section, district and college policies and procedures that have or will have a “significant effect on students” includes the following:

- 1 Grading policies;
- 2 Codes of student conduct;
- 3 Academic disciplinary policies;
- 4 Curriculum development;
- 5 Courses or programs which should be initiated or discontinued;
- 6 Processes for institutional planning and budget development;
- 7 Standards and policies regarding student preparation and success;
- 8 Student services planning and development;
- 9 Student fees within the authority of the district to adopt; and
- 10 Any other district and college policy, procedure, or related matter that the district governing board determines will have a significant effect on students.

(c) The governing board shall give reasonable consideration to recommendations and positions developed by students regarding district and college policies and procedures pertaining to the hiring and evaluation of faculty, administration, and staff.

(d) Nothing in this Section shall be construed to impinge upon the due process rights of faculty, nor to detract from any negotiations or negotiated agreements between collective bargaining agents and district governing boards. It is the intent of the Board of Governors to respect agreements between academic senates and collective bargaining agents as to how they will consult, collaborate, share or delegate among themselves the responsibilities that are or may be delegated to academic senates pursuant to the regulations on academic senates contained in Sections 53200-53206.

(e) The governing board of a community college district shall comply substantially with policies and procedures adopted in accordance with this Section.