

Empowering Local Senates: Resources for Developing Local Senate Authority

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Faculty Leadership Institute 2014
Paradise Point Resort, June 12-14



Academic Senate
for California Community Colleges

LEADERSHIP. EMPOWERMENT. VOICE.



Empowering Local Senate Presidents

- Familiarity with the statutory context in which the senate operates
- Knowledge of local participatory/shared governance policies
- Advocating for faculty interest
- Promoting an effective relationship with the Board of Trustees



Empowering Local Senate Presidents

- ❑ Maintaining contact with the Statewide Academic Senate, ASCCC
- ❑ Maintaining effective relationships with other governance groups
- ❑ Developing senate participation and leadership
- ❑ Fostering communication



Basis for Senate Authority?

- Education Code
- Title 5



California Education Code

- Laws resulting from legislation
- Requires legislation to be changed
- Always supersedes Title 5 regulation
- Governance was amended by **AB 1725 in 1988**



Title 5

- California Code of Regulations
- Derived by the Board of Governors from the California Education Code
- Division 6 - applies to California Community Colleges
- Regulation with the force of law



Education Code § 70902 (B)(7)

- “The Governing Board shall ... ensure ... the right of academic senates to assume primary responsibility for making recommendation in the areas of **curriculum and academic standards.**”



Title 5 § 53203 - Authority

- (A) Governing Board shall adopt policies delegating authority and responsibility to its Academic Senate.
- (B) Policies in (A) shall be adopted through *collegial consultation* with the Academic Senate.
- (C) Guarantees the Academic Senate the right to meet with or appear before the board.



Title 5 § 53200 – Definitions

- (B) Academic Senate means an organization whose primary function is to make recommendations with respect to academic and professional matters.



Title 5 § 53200 – Definitions

- (C) Academic and Professional matters means the following policy development and implementation matters:

The “10 + 1”



The “10 + 1”

Section § 53200 (c)

1. Curriculum, including establishing prerequisites
2. Degree and certificate requirements
3. Grading policies
4. Educational program development
5. Standards and policies regarding student preparation and success



The “10 + 1”

Section § 53200 (c)

6. College governance structures, as related to faculty roles
7. Faculty roles and involvement in accreditation process
8. Policies for faculty professional development activities
9. Processes for program review
10. Processes for institutional planning and budget development



The “+ 1”

Section § 53200 (c)

- Other academic and professional matters as mutually agreed upon.



Collegial Consultation: Definition

Section § 53200(d):

...the district governing board shall develop policies on academic and professional matters through either or both of:

1. *Rely primarily* upon the advice & judgment of the Academic Senate
2. Reach *mutual agreement* with the Academic Senate by written resolution, regulation, or policy



Collegial Consultation: “Rely Primarily”

Section § 53200(d)(1):

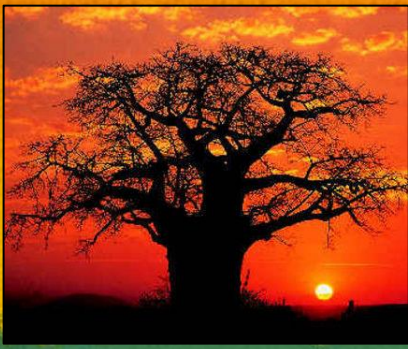
- When **rely primarily**:
- The recommendations of the senate will normally be accepted...
 - Only in exceptional circumstances and for compelling reasons will the recommendations not be accepted.
 - If a recommendation is not accepted, the governing board or its designee, upon request of the academic senate, shall promptly communicate its reasons in writing to the academic senate.



Collegial Consultation: “Mutually Agree”

Section § 53200(d)(1):

- When **mutually agree (and an agreement has not been reached)**:
- Existing policy shall remain in effect except in cases of legal liability or fiscal hardship.
- Board may act, after a good faith effort to reach agreement, only for compelling legal, fiscal, or organizational reasons.



Education Code Other Authority

- Waiver of Minimum Qualifications; Equivalency – § 87359 (B)
- Hiring Criteria – § 87360 (B)
- Administrative Retreat Rights – § 87458 (A)
- Tenure Evaluation Procedures – § 87610.1 (A)
- Evaluation Procedures – § 87663 (F)
- Faculty Service Areas – § 87743.2



Title 5

More Authority

Section § 53203:

- (E) Academic Senate may assume responsibilities and perform functions as may be delegated by the Governing Board
- (F) Appointment of faculty members to college committees shall be made by the Academic Senate - requires consultation with CEO or designee.



Title 5

Language for Students

Section § 51023.7

- The governing board shall adopt policies and procedures that provide students the opportunity to participate effectively in district and college governance.
 - formulation and development of policies and procedures that have or will have a significant effect on students.
 - processes for jointly developing recommendations to the governing board regarding such policies and procedures.



Title 5

Language for Staff

Section § 51023.5:

- The governing board shall adopt policies and procedures that provide district and college staff the opportunity to participate effectively in district and college governance.



Local Level: Your College

- District Policies
- District Procedures
- Bargaining Agent Contracts
- College Governance Agreement/Handbooks
- Local Senate Constitutions/Bylaws
- Participatory Governance Policies



ASCCC

Staying Connected

- Plenaries/Institutes
- Regional Meetings
- Committees
- Rostrum Articles
- Papers
- Resolutions
- Technical Assistance
- ASCCC website: www.asccc.org



Scenario: Curriculum Chair Take-Over

- Your college president has proposed that the reassigned time for the curriculum chair be reduced by half.
- Your academic senate bylaws, as mutually agreed upon by your senate and Board of Trustees, call for the faculty curriculum chair to be appointed by the academic senate with a stated amount of reassigned time.
- The academic senate objects to the change in reassigned time and has found no qualified faculty member who is willing to do the job for the reduced amount of reassigned time.
- With no faculty appointee coming forth from the academic senate, your **college president appoints an administrator to chair the curriculum committee.**



Scenario: Program Development

- A new CTE program is being considered, one which is unrelated to any existing program at your college.
- Your college does not currently employ any faculty in the discipline covering the new program.
- Developing a job announcement through the Office of Instruction and using the Dean CTE and Director of Community Services as the screening committee, the president is ready to recommend to your Board the hiring of two part-time faculty to develop the curriculum for your new program.
- This method of developing a job announcement and screening candidates **does not follow your existing hiring policy.**

Your scenarios



A large, leafless tree with a thick trunk and many bare branches stands in a field of tall, dry grass. The sky is a clear, bright blue. The tree is the central focus of the image.

Welcome!

Please keep talking with us!

We're here to help!