



ACADEMIC SENATE  
for CALIFORNIA COMMUNITY COLLEGES

# *Participatory Governance Faculty, Staff, and Student Roles in Local Decision- Making*

*John Stankas, President  
Academic Senate for California Community  
Colleges*



ACADEMIC SENATE  
for CALIFORNIA COMMUNITY COLLEGES

***Participatory  
Governance =  
Effective Solutions  
and Sound Decisions***



# *Participatory Governance*

- *“ ... not a simple process to implement – goodwill, thoughtful people, a willingness to take risks and the ability to admit problems exist – can go far toward establishing a positive environment...*
- *The central objective should be creation of a climate where energy is devoted to solving crucial educational tasks and not to turf battles over governance. ”*

• *CCCT/CEOCCC Policy Paper, December 1989*



## ***Title 5 Terminology: Effective Participation***

***Participating effectively in district and college governance is shared involvement in the decision-making process.***

- It does not imply total agreement;
- The same level of involvement by all is not required; and
- Final decisions rest with the board.



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# *The Basis for Academic Senate Authority*

- *Education Code*
- *Title 5 Regulations*
- *Chancellor's Office  
Guidelines*



# *Academic Senates*

## *Education Code § 70902 (b)(7)*

*“The board of governors ... ensure ... the right of academic senates to assume primary responsibility for making recommendation in the areas of curriculum and academic standards.”*



# ***Academic Senates***

## ***Title 5 § 53203***

***(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.***



# *Academic Senates*

## *Title 5 § 53200*

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

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





# *The “10+1”*

## *Title 5 § 53200 (c)*

- 1. Curriculum, including establishing prerequisites*
- 2. Degree & Certificate Requirements*
- 3. Grading Policies*



# ***The “10+1”***

## ***Title 5 § 53200 (c)***

- 4. Educational Program Development***
- 5. Standards & Policies regarding Student Preparation and Success***
- 6. College governance structures, as related to faculty roles***



# ***The “10+1”***

## ***Title 5 § 53200 (c)***

- 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***



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# ***The “+1”***

***Title 5 § 53200 (c)***

***Other academic and professional matters as mutually agreed upon.***



# *Collegial Consultation*

## *Title 5 § 53200 (d)*

*District Governing Board is required to consult collegially with the Academic Senate and develop policies on academic and professional matters through either or both:*

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



# *Collegial Consultation*

## *Title 5 § 53200 (d)*

*(D) Requires procedures for responding to Academic Senate recommendations that include:*

- 1. When rely primarily, the recommendation of the Academic Senate will normally be accepted, and only in exceptional circumstances and for compelling reasons will they not be accepted.*



# *Collegial Consultation*

## *Title 5 § 53200 (d)*

*(D) Requires procedures for responding to Academic Senate recommendations that include:*

*2. When mutual agreement and an agreement has not been reached:*

- Existing policy remains in effect except in cases of legal liability or fiscal hardship*
- Board may act - after a good faith effort - only for compelling legal, fiscal, or organizational reasons.*



# ***“Compelling Reasons”***

***These terms mean that ... in instances where a recommendation is not accepted the reasons for the board’s decision must be in writing and based on a clear and substantive rationale which puts the explanation for the decision in an accurate, appropriate, and relevant context.***





# *More Faculty Authority*

***Title 5 § 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***



# ***And in Ed Code...***

***Education Code § 87359 (b)***

***Waiver of Minimum Qualifications and  
Equivalency***

***Education Code § 87360 (b)***

***Hiring Criteria, Policies, and Procedures***

***Education Code § 87458 (a)***

***Administrative Retreat Rights***

***Education Code § 87615 (b)***

***Minimum Degree Requirements***



# ***Faculty Association***

***Education Code § 87610.1 (a)***

## ***Tenure Evaluation Procedures***

***“The faculty’s exclusive representative shall consult with the academic senate prior to engaging in collective bargaining regarding those procedures.”***



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# ***Faculty Association***

***Education Code § 87663 (f)***

***Evaluation Procedures - Association shall  
consult with Senate***

***Education Code § 87743.2***

***Faculty Service Areas - Association shall  
consult with Senate***



# *Other Constituencies*

*Education Code § 70902 (b)(7)*

*Board of Governors shall establish "minimum standards" and local governing boards shall "establish procedures not inconsistent" with those standards to ensure faculty, staff and students the right to participate effectively in district and college governance and the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards.*



# ***Students***

## ***Title 5 § 51023.7(a)***

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

- 1. Grading policies**
- 2. Codes of student conduct**
- 3. Academic disciplinary policies**
- 4. Curriculum development**



# ***Students***

## ***Title 5 § 51023.7(a)***

- 5. Course/program initiation or elimination***
- 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***
- 10. Any other district or college policy... that will have a significant effect on students***



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# *Students*

*Title 5 § 51023.7(c)*

*Policies and procedures pertaining to the hiring and evaluation of faculty, administration, and staff.*





# *Classified Staff*

*Title 5 § 51023.5(a)*

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



# *Resources*

- *Collegiality in Action*
- *Academic Senate Website: [www.asccc.org](http://www.asccc.org)*
  - **Publications**
    - *[Local Senates Handbook](#)*
    - *[Participating Effectively in District and College Governance](#)*
  - *[Professional Development College](#)*
  - **Events**
- *Academic Senate President*



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***Thank you!***

*A Trustee's*



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*Perspective on Role  
of the Board in  
Participatory  
Governance*

*Donna Miller, Former Trustee  
North Orange County  
Community College District*



- I. How does perception impact this decision making?***
- II. How do you interpret the legislation from a trustee's perspective?***
- III. What are some examples of challenging decisions?***

 ***Perception is the process of selectively attending to information and assigning meaning to it.***

***We interpret and pay attention to information based upon our needs, interests, and expectations***



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***Participating Effectively in District and College Governance***



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# **Students**

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



*Title 5 § 51023.5(a)*

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



# *Challenging Decisions*

- 1. The Academic Senate proposed to move the final withdrawal date from the statutory maximum (14<sup>th</sup> week) to the statutory minimum (6<sup>th</sup> week). This was initially approved by the Board but rescinded by the Board when too many grades were becoming F's. I voted to support the Senate.*



***2. There was a significant dispute over the composition of the hiring committee for the Chancellor position. Board policy empowered employee groups to select members of the hiring committee with the Board having no say. No change in policy was made.***

***I supported the Board having some authority over selection of committee members in order to ensure diversity and wide representation on the committee.***



***3. The Academic Senates did not support the application of the Cypress College Mortuary Science Department applying to the California baccalaureate program. The Board disagreed with that decision and allowed the program to apply and it was selected as one of the statewide pilot programs.***





## ***Participatory Governance from the CEO View***

- ***Every Community College in the state of California has a similar BP 2510 concerning participation in Local Decision Making which states:***
  - *“The Board is the ultimate decision make in those areas assigned to it by state and federal laws and regulations. In executing that responsibility, the Board is committed to its obligation to ensure that appropriate members of the District participate in developing recommended policies for Board action and administrative procedures for Superintendent/President action under which the District is governed and administered.”*
    - BP 2510(LCCD)



# Participation in Local Decision Making

- Each of the following shall participate as required by law in the decision-making processes of the District:
  - -Academic Senate(the Board and its designees will consult collegially with the Academic Senate, as duly constituted with respect to academic and professional matters, as defined by law. Procedures to develop this section are developed collegially with the Academic Senate).
  - -Staff(Staff shall be provided with opportunities to participate in the formulation and development of District policies and procedures that have a significant effect on staff. The opinions and recommendations of the groups identified will be given every reasonable consideration.
  - -Students(The ASB shall be given an opportunity to participate effectively in the formulation and development of District policies and procedures that have a significant effect on students, as defined by law. The recommendations and positions of the ASB will be given every reasonable



# *My Views( 95 Theses Minus 85)*

- *The key word is recommendation or recommending body*
- *Everyone group has a voice in the governance process*
- *It's not shared(Shared governance is not in Education Code, it is Collegial Consultation*
- *Not all issues are 10 + 1(academic senate)*
- *Final decisions come from the President to the Trustees for approval*
- *Know your governance handbook*
- *Know what your bargaining agreements state concerning governance*
- *When a recommendation is not accepted, respond in writing(Frank Gornick)*
- *Consult collegially but not give up administrative rights*
- *Have support up/down*



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