

Welcome to the Academic Senate!



ORIENTATION TO THE SENATE

Agenda

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- Introduction Activity
- Meetings/Calendar
- Robert's Rule of Order and Brown Act
- Responsibilities of the Academic Senate (10+1) and more



Welcome & Introductions

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Meetings/Calendar

Meeting Schedule

September 13

February 7

September 27

February 21

October 11

March 7

October 18

March 21

October 27

April 11

November 8

April 25

December 6

May 9

May 23



Request for Item on the Agenda



Request for an Item to be placed on the College of the Canyons Academic Senate Agenda

Note: Please be aware that any information or content submitted to the Office of Academic Senate will be made available to the public per [The Brown Act](#).

Requester/Presenter(s): _____

Today's Date: _____

Date of Senate Meeting requested: _____

Request: _____

Title of Request to be placed on the agenda: _____

One sentence summary of item to be placed on the agenda: _____

Type of agenda item: *(Please indicate one below)*

- Action Item (first read)
- Discussion Item
- Report Item

Amount of Time Requested: _____

Start Time Requested: _____

Background: _____

Other Comments: _____

Approved 5/24/18



Roles And Responsibilities of Local Senate

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- Familiarity with the statutory context in which the senate operates
- Knowledge of local participation/shared governance policies
- Advocating for faculty interest
- Maintaining effective relationships with other governance groups
- Developing senate participation and leadership
- Fostering communication



Some Questions to Consider

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- Where does the Academic Senate authority come from?
- What is the role of the Academic Senate?
- What does the Academic Senate have responsibility over?



Where does the Academic Senate Authority come from?

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- Education Code
- Title 5 Regulations



California Education Code

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



Title 5

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- 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



What is the Role of the Academic Senate?

“The governing board of each community college district **shall...** Establish procedures that are consistent with minimum standards established by the board of governors to **ensure faculty, staff, and students** the opportunity to express their opinions at the campus level, to ensure that these opinions are given every reasonable consideration, to **ensure the right to participate effectively** in district and college governance, and to ensure the **right of academic senates** to assume primary responsibility for making recommendations in the areas of **curriculum and academic standards.**”



§ 70902 (b) (7) California Ed Code

What is the Role of the Academic Senate?

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“Academic senate,” “faculty council,” and “faculty senate” means an organization formed in accordance with the provision of this Subchapter 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 & professional matters.**”

§ 53200(b) Title 5



“Academic & Professional Matters”

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“Academic professional matters” means the following policy development and implementation matters:”

§ 53200(C) Title 5

1. Curriculum & prerequisites*
2. Degree & certificate requirements*
3. Grading policies*
4. Educational program development



“Academic & Professional Matters”

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5. Standards & policies regarding student preparation & success*
6. College governance structures as related to faculty roles
7. Faculty roles and involvement in accreditation, including self-study and annual reports
8. Policies for faculty development activities*
9. Processes for program review*
10. Processes for planning & budget

Plus 1:

Other academic & professional matters as mutually agreed upon



What powers?

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“The governing board...shall adopt policies for appropriate delegation of authority and responsibility to its college and/or district academic senate....”

§ 53203(a) Title 5

- ❑ Adopting the policies and procedures in (a) **shall consult collegially** with representatives of the academic senate. § 53203(b) Title 5
- ❑ “...the academic senate shall retain the **right to meet** with or to appear before the governing board with respect to **views, recommendations, or proposals** of the senate.” § 53203(c) Title 5
- ❑ An academic senate may assume such responsibilities and perform such functions **as may be delegated to it by the governing board** of the district...
§ 53203(e) Title 5



What's “Consult Collegially?”

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“**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.

- § 53200(d) Title 5



Collegial Consultation - Defined

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 - Defined

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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.



What is our BP 7215?

BP 7215 Academic Senate Participation in Collegial Consultation

A. Definition

For the purpose of this policy Faculty Senate includes full and adjunct faculty members.

B. Level of Involvement

Faculty shall be provided with opportunities to participate in the formulation and development of District and College policies and procedures in areas as specified by Title V (Subsection 53200 c.) and designed as "Academic and Professional Matters."

1. "Rely Primarily On"

Those areas in which the Board of Trustees will "rely primarily on" the advice and judgment of the Faculty Senate include:

- a. The development of curriculum, including the establishment of prerequisites and planning of course disciplines;
- b. The determination of degree and certificate requirements;
- c. The establishment and review of grading policies;
- d. The establishment of standards and policies regarding student preparation and success;
- e. The appointment of faculty members to District and College committees;
- f. The establishment of policies, procedures and programs for faculty professional development activities (excluding financial expenditures for faculty development);
- g. The development of processes for program review.

In the above areas, the recommendation of the Senate will normally be accepted. Only in exceptional circumstances of for compelling reasons will the recommendations not be accepted.

When the Board of Trustees does not wish to accept the advice of the Senate on these matters, the Board will send a written communication (or designee) to request that the Senate reconsider the recommendation(s) taking into consideration the consensus and issues raised by the Board of Trustees.

If, upon reconsideration, the Senate does not change its initial recommendation and, if it is the opinion of the Board that the exceptional circumstance/compelling reason(s) still exist, the Board may reject the advice of the Senate. In cases such as this, existing policies and practices will remain in place.

This being the case, the final determination with rationale will be communicated to the Senate in writing.

2. "By Mutual Consent"

Areas specified by Title V (Subsection 53200 c.) as "Academic and Professional Matters" where the Board of Trustees and the Senate obligate themselves (or their Trustees and the Senate obligate themselves (or their designee(s)) to reach mutual agreement, resulting in written resolution, regulations or policy include:

- a. The development of new educational programs;
- b. District governance processes (except 1. e. above);
- c. The delineation of faculty roles and involvement in accreditation processes (including the development of the self-study and strategic plan updates (annual reports);



What powers?

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- ❑ “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. § 53203(f) Title 5
- ❑ **Discussion question – How are we doing with committee membership & recruitment?**



Other Authority for Senates

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- Waiver of Minimum Qualifications; Equivalency (Ed Code § 87359(b))
- Hiring Criteria (Ed Code § 87360(b))
- Administrative Retreat Rights (Ed Code § 87359(b))
- Tenure Evaluation Procedures (Ed Code § 87359(b))
- Evaluation Procedures (Ed Code § 87359(b))



Constitution & Bylaws

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- The **what** and the **how**
- Changes made last semester include:
 - Clarifying elections process
 - Added language about recall of senator
 - Clarified committees & meetings
 - Added section on Resolutions and Supplemental Powers
 - Defined “Officers” of the Senate & Ex. Com.
 - Clarified Duties of Officers
 - Embedded Amendment (Reassign Time) to Bylaws



Ralph M. Brown Act

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- Open Meetings Act (Government Code 54950-54960.5)
- Requirement for local senates to follow addressed in 1983 Attorney General Opinion:
“The Attorney General concluded that [academic senates are subject to Brown Act Requirements](#) because Title 5 requires that local community college governing boards must recognize their local academic senates and thus local [academic senate are subordinate creations of local boards of trustees.](#)”



Ralph M. Brown Act

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Commitment to:

- ❑ Openness
- ❑ Transparency
- ❑ Public Access to information



Ralph M. Brown Act

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Includes:

- ❑ The Board of Trustees
- ❑ Any subcommittee or task force created by the Board with a majority of Board members serving on the group
- ❑ Any subcommittee or task force created by the Board which has defined, ongoing charge (either decision-making or advisory) OR has a regular meeting schedule set by the Board, regardless of Board membership
- ❑ **Local academic senate** and **curriculum committee**
- ❑ STANDING COMMITTEES of a legislative body are subject to the Brown Act.
- ❑ STANDING = two conditions
 - ❑ Continuing subject matter jurisdiction, or
 - ❑ A meeting schedule fixed by resolution or formal action



Ralph M. Brown Act

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- What is considered a meeting?
 - When a majority of the members gather to discuss business
 - Any meetings with other groups to discuss business
 - Can meet at social events like parties but cannot discuss business
 - The Brown Act is not limited to “meetings” where a final decision is made!
 - “HEAR”
 - “DISCUSS”
 - “DELIBERATE”



Can we call “special meetings?”

Ralph M. Brown Act – No Serial Meetings

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“A majority of the members of a legislative body shall not...use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.”

- GC Section 54952.2(b)(1)

Common Types of Serial Meetings:

- Daisy Chain
- Hub and Spoke
- Email



Ralph M. Brown Act: Teleconference Meetings

- ❑ Agendas must identify each teleconference location and be posted at each location
- ❑ Each location must be open and accessible to the public and allow for public participation
 - ❑ Example: Hospital bed
 - ❑ Example: No participation by cell phone in car
- ❑ Agenda must provide an opportunity for public comment from each teleconference location
- ❑ At least a quorum of the legislative body must participate from locations within the local agency's jurisdiction

All votes must be audible and taken by roll call



Applying the Brown Act

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- All meetings are open!
 - Must post agenda 72-hours ahead and in public space
 - Must include
 - Time & place & accessibility accommodations
 - Public comments
 - Action items with brief description
- Who's "in charge" of the agenda?



Applying the Brown Act

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- Votes
 - All votes are public record
 - Recorded in minutes... Rules of Order



Rules of Order

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- Robert's Rules of Order, Revised
- <http://www.robertsrules.com>
- Can choose elements to use
- Parliamentary



Senate Meeting

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President's Role in Meetings

- ❑ Prioritize
- ❑ Balance discussion and debate with decisions
- ❑ Keep agenda moving



Senate Meeting

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Agenda Changes?

- Can change order
- Cannot add items – why?
- Can set time limits



Senate Meeting

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- Agendas
 - Public Comment
 - Committee Appointments
 - Consent Calendar
 - Reports
 - Action Items
 - Discussion Items
 - Unfinished Business
 - New Future Business



Reports vs Discussion

The reports are information items only

- Senate members can appeal to have an item from Reports put on a future agenda as a discussion item
- Members are allowed to ask clarifying questions, but the reports are not intended for discussion, nor commentary



Action Items

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- ❑ Published agenda items only!
- ❑ Need a first reading
 - ❑ Exceptions??
 - ❑ Quorum?



Discussion Items

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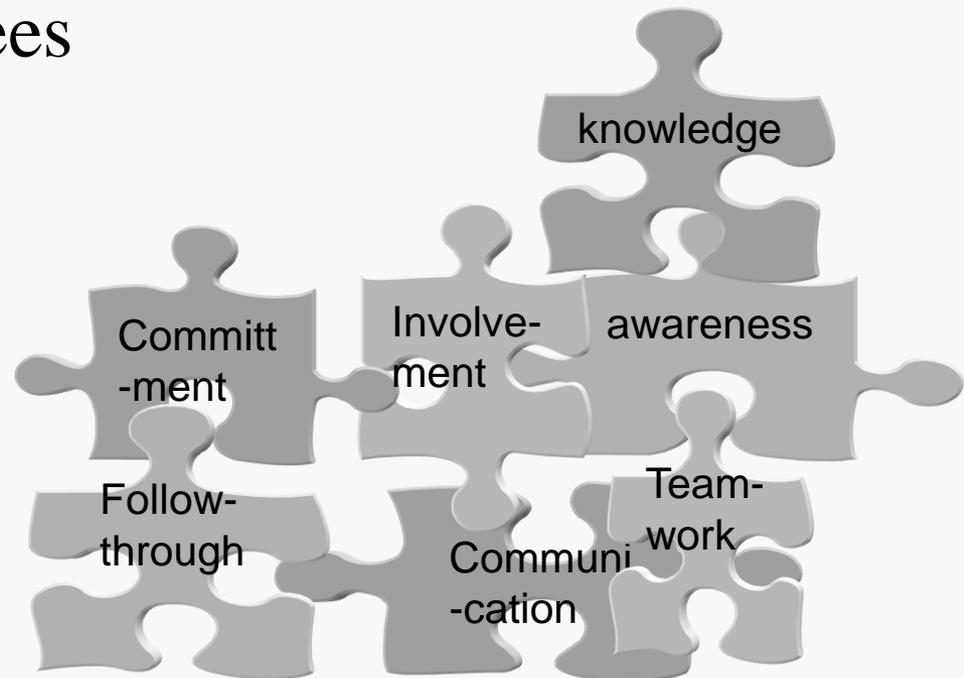
- ❑ Discuss only, no action
 - ❑ Can be moved to action agenda
 - ❑ May be information only (currently, no action required)
- ❑ Important to note:
 - ❑ All information must be available to the public
 - ❑ Documents become public documents



Senators' Roles & Responsibilities

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- Communicating with your constituents
- Preparation for Senate meetings
- Involvement in issues
- Serve on committees
- Write resolutions
- What else?



Resources

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- www.asccc.org (*the ASCCC*)
 - From site you can get links to *Senate Rostrum*, ASCCC papers, Ed Code and Title 5 and Executive Board members

- “*Local Senates Handbook*” (2015 ASCCC publication) – *red handbook*

