

## **PARTICIPATORY GOVERNANCE**

### **INTRODUCTION**

Assembly Bill 1725 enacted a new structure of community college governance, in part through strengthening the role of faculty, staff and students. In order to ensure the faculty, staff, and students of the Contra Costa Community College District the right to participate effectively in District and college governance, the Governing Board adopts the following procedure in accordance with the provisions of AB 1725, Title 5, and the directives of the Board of Governors of the California Community Colleges.

The Governing Board recognizes that one of the basic principles of governance in higher education is that authority derives not only from the powers vested in governing boards and their staffs by law, but also from the knowledge and experience possessed by the faculty, staff and others. Both sources of authority are vital to the development and implementation of sound educational policy. Institutional governance recognizes and is predicated upon the sincere commitment on the part of all participants to our students, our professions, our colleges and our District. It is made a reality not only through processes for developing recommendations but also through the delegation of authority and fixing of responsibility in appropriate areas. It is a complex process of consultation that demands from faculty, managers, classified staff, and students a respect for divergent opinions, a sense of mutual trust, and a willingness to work together for the good of the instructional enterprise.

### **FACULTY PARTICIPATION**

The Governing Board will consult collegially with the Academic Senate when adopting policies and procedures on academic and professional matters as defined in Title 5, Section 53200 (c). Except in those areas where the Governing Board will rely primarily upon the advice and judgment of the Academic Senate, the 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.

The Governing Board recognizes that the Academic Senate is established in order that the faculty have a formal and effective procedure for participation in the formation and implementation of District and college policies on academic and professional matters and, as the representatives of the faculty, has as its primary function that of making recommendations to the administration of the college and to the Governing Board of the District with respect to academic and professional matters.

While in process of consulting collegially, the Academic Senate will retain the right to meet with or appear before the Governing Board with respect to the views, recommendations, or proposals of the Senate.

The appointment of faculty members to serve on councils, committees, task forces, or other groups dealing with academic and professional matters, will be made by the Academic Senate, in consultation as appropriate with the President or his/her designee on college matters or with the Chancellor or his/her designee on District matters.

In those areas 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. In those areas where the Governing Board elects to provide for mutual agreement with the Academic Senate, where an agreement

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on a policy or procedure concerning an academic or professional matter has not been reached, existing policies and procedures shall remain in effect unless continuing such policy exposes the District to legal liability or causes substantial fiscal hardship. In such cases, the Governing Board has the right and responsibility to exercise the final decision on all recommendations.

The Governing Board's consultation with the Academic Senate on academic and professional matters will not impinge upon the due process rights of faculty nor detract from the negotiated agreement with United Faculty. Further, the Governing Board will respect agreements between the Academic Senate and United Faculty 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 Title 5, Sections 53200- 53204.

## **STAFF PARTICIPATION**

As stipulated in Title 5, Section 51023.5, the Governing Board will provide staff the opportunity to participate effectively in governance. The District defines staff as (1) classified employees and (2) management (excluding contract managers), supervisory and confidential employees.

### **1. Classified Staff Participation**

The Governing Board will provide classified staff the opportunity to participate effectively in governance through the Classified Senates or equivalent when adopting policies and procedures that it determines are likely to have a significant impact on staff. Staff will have the opportunity to participate effectively in formulating District and college policies, and in those processes for jointly developing recommendations for action by the Governing Board that the Governing Board determines, in consultation with staff, are appropriate in accordance with approved institutional governance participation structures and procedures for staff. The Governing Board will ensure that the recommendations and opinions of staff are given reasonable consideration, and it will not take action on matters significantly affecting staff until it has provided staff an opportunity to participate, except in unforeseeable, emergency situations.

The Governing Board recognizes that all members of the classified service except classified managers are staff for purposes of participation in institutional governance.

The appointment of staff to serve on college and District councils, committees, task forces or other governance groups will be made by the Classified Senates in consultation as appropriate with the President or his/her designee on college matters or with the Chancellor or his/her designee on District matters.

The Governing Board's consultation with the Classified Senates on matters which have a significant impact on staff will not impinge upon the policies and procedures governing the participation rights of faculty and students pursuant to Title 5, Sections 53200-53205 and Section 51023.7, nor detract from the negotiated agreement with Local One. Further, the Governing Board will respect agreements between the Classified Senates and Local One 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 Title 5, Section 51023.5.

## **2. Management, Supervisory, and Confidential Employees**

Managers, supervisors, and confidential employees will have the opportunity to participate effectively in formulating District and college policies, and in those processes for jointly developing recommendations for action by the Governing Board that the Governing Board determines are appropriate in accordance with approved governance structures and procedures.

The Governing Board will ensure that the recommendations and opinions of managers, supervisors, and confidential employees are given reasonable consideration, and it will not take action on matters significantly affecting them until they have been provided an opportunity to participate, except in unforeseeable, emergency situations.

The appointment of managers, supervisors and/or confidential employees to serve on college and District councils, committees, task forces or other governance groups will be made by the college Presidents and/or the Chancellor in collaboration with the respective management, supervisory, and/or confidential employees.

## **STUDENT PARTICIPATION**

As stipulated in Title 5, Section 51623.7, the Governing Board will provide students the opportunity to participate effectively in governance through the associated student organizations as the representative bodies to offer opinions and to make recommendations with regard to policies and procedures that have or will have a significant effect on students as defined in Title 5, Sections 51023.7. Students will have the opportunity to participate effectively in formulating District and college policies, and in those processes for jointly developing recommendations for action by the Governing Board. The Governing Board will ensure that at the District and college levels, recommendations and positions developed by students are given every reasonable consideration, and it will not take action on matters significantly affecting students until it has provided students an opportunity to participate, except in unforeseeable emergency situations.

The appointment of student representatives to serve on college and District councils, committees, task forces, or other governance groups will be made by the associated student organizations in consultation as appropriate with the President or his/her designee on college matters or with the Chancellor or his/her designee on District matters.

The Governing Board's consultation with the associated student organizations on matters which have a significant impact on students will not impinge upon the due process rights of faculty nor detract from negotiated agreements with United Faculty and Local One.

## **POLICY DEVELOPMENT AREAS BY CONSTITUENT GROUPS**

### Academic Senate (Title 5, Section 53200)

Academic and professional matters means the following policy development matters. The Governing Board will rely primarily upon the advice and judgment of the Academic Senate with regard to items 1 through 3 and reach mutual agreement with regard to items 4 through 11:

1. Curriculum, including establishing prerequisites and placing courses within disciplines;
2. Degree and certificate requirements; and
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;

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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; and
11. Other academic and professional matters as mutually agreed upon between the Governing Board and Academic Senate.

Classified Senate (Title 5, Section 51023.5, Staff)

Participation in formulating District and college policies, and in those processes for jointly developing recommendations for action by the Governing Board, that the Governing Board determines, in consultation with staff, are likely to have a significant impact on staff.

Associated Student Organizations (Title 5, Section 51023.7)

Participation in development of District and college policies and procedures that have or will have a "significant effect on students" which 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.
10. Any other District and college policy, procedure or related matter that the Governing Board determines will have a significant effect on students.