

ACADEMIC SENATE FOR CALIFORNIA COMMUNITY COLLEGES

# LOCAL SENATES HAND BOOK

2015 EDITION



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## **Preamble to the Constitution of the Academic Senate for California Community College (ASCCC)**

*We, the faculty of the California Community Colleges, through local academic senates, do hereby establish a statewide organization to represent the faculty in the California Community Colleges at the state level. (ASCCC Constitution, 2004)*

## **Statement on Government of Colleges and Universities, American Association of University Professors**

### **Section V: The Academic Institution: The Faculty**

*Agencies for faculty participation in the government of the college or university should be established at each level where faculty responsibility is present. An agency should exist for the presentation of the views of the whole faculty. The structure and procedures for faculty participation should be designed, approved, and established by joint action of the components of the institution. Faculty representatives should be selected by the faculty according to procedures determined by the faculty. (1990)*

# PREFACE

THIS *LOCAL SENATES HANDBOOK* HAS BEEN COMPILED by the Academic Senate for California Community Colleges' Relations With Local Senates Committee to be a resource for new and experienced academic senate presidents, providing them with information and context to support them being effective faculty leaders.

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## Using this Handbook

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This handbook is organized into five parts:

- **Part I:** The Academic Senate for California Community Colleges: A Brief History

This section provides a short history of academic senates in the California Community College System with links to important historical documents that provide the context for how senates operate today.

- **Part II:** Roles and Responsibilities of the Academic Senate

This section provides an explanation of the legal framework that senates function within. This includes sections on California Education Code and Title 5 that relate to the academic and professional responsibilities of the senate; information on local board policies, regulations, and delegation of decision making authority; the Academic Senate for California Community Colleges statement on collegial consultation; effective practices to foster effective relationships between the union and the senate; and the role of the academic senate regarding accreditation.

- **Part III.** Duties as a Local Senate President

This section breaks out some of the duties and responsibilities of academic senate presidents, including the general duties, reports and documents requiring senate sign-off, and committee appointments.

- **Part IV.** Ensuring the Effectiveness of the Local Senate

This section provides effective practices regarding the placement of the senate within the college’s governance structure, constitutions and bylaws, effective participatory governance, and strategies to institutionalize an effective senate.

- **Part V.** Linking Local Senates to the Academic Senate for California Community Colleges

This section contains information on how the Academic Senate for California Community Colleges operates and the services that it offers to assist local senates.

This handbook has been prepared to be read cover-to-cover by new senate leaders or to be used as a specific problem solving reference handbook. The California Community College System is complex. Often in this handbook information seems to be repeated in different sections. This repetition was purposeful to both serve a user who is looking for the answer to a specific question and to allow for different nuanced approaches to the information pertaining to the different sections. The online version of the handbook available in the PDF format allows the reader to navigate between connected sections with the help of hyperlinks ([asccc.org/papers/handbook2015](http://asccc.org/papers/handbook2015)).



# PART I

## THE ACADEMIC SENATE FOR CALIFORNIA COMMUNITY COLLEGES: A BRIEF HISTORY

THE ACADEMIC SENATE FOR CALIFORNIA COMMUNITY COLLEGES (ASCCC) has its roots in an Assembly Concurrent Resolution adopted in 1963. The resolution required the State Board of Education (which at that time had jurisdiction over community and junior colleges) to establish academic senates “for the purposes of representing [faculty] in the formation of policy on academic and professional matters” (Assembly Resolution 48, 1963). While some local academic senates existed before this resolution, this action gave local senates legal recognition and specific jurisdiction over academic and professional matters. There were several statewide faculty organizations that supported the formation of local senates, including the California Teachers Association (CTA); California Federation of Teachers (CFT); the California Junior College Faculty Association (CJCFA), now known as the Faculty Association of California Community Colleges (FACCC); and the California Junior College Association (CJCA), now the Community College League of California (CCLC), which at that time included representation of faculty (it now represents CEOs and Trustees at the state level).

In 1967, legislation was enacted to create the Board of Governors and the Chancellor’s Office for the California Community Colleges. The following year, Norbert Bischof, a professor of mathematics and philosophy at Merritt College, called the first statewide meeting of local academic senate presidents to explore ways to create a state senate, which would represent local senates at the Chancellor’s Office and before the Board of Governors. Working with Ted Stanford, a history professor from Chabot College, Bischof wrote the constitution for the Academic Senate for California Community Colleges, which was adopted by the body in May 1968. Subsequently, the constitution was ratified statewide, and approved by the Board of Governors in October 1969. The Academic Senate for California Community Colleges was incorporated as a nonprofit organization in November 1970.

These organizational milestones, and many others, prepared the Academic Senate for the responsibilities arising from the 1986 report of the Commission for the

Review of the Master Plan for Higher Education which focused exclusively on the community colleges. This document, *The Challenge of Change: A Reassessment of the California Community College* (Commission for the Review of the Master Plan for Higher Education, 1986), led the way for the reform legislation, *The Community College Reform Act* (AB 1725, Vasconcellos, 1988) which was passed by the legislature in 1988. Commonly referred to as AB 1725, the legislation established many new responsibilities for both local senates and the Academic Senate for California Community Colleges. Subsequently, the document *California's Faces...California's Future* (Vasconcellos, 1989) supported community college reform and contextualized the Master Plan within California's shifting demography.

*The Community College Reform Act* (AB 1725, Vasconcellos, 1988), changed the role of the California community colleges within the educational framework of California. Community colleges were uncoupled from K-12 and given status as institutions of higher education. As a result, the legislature also created pre-and post-tenure reviews, lengthened the tenure period, and strengthened the role of the local academic senates as central to the effort of institutional development. John Vasconcellos's Reform Act is a remarkable and aspirational piece of legislation. The official chapter language of the law includes significant intent language concerning what the legislators wished to see accomplished. All college leaders should be familiar with this document.

The ASCCC's proposal for the implementation of AB 1725 as outlined in the paper *Policies for Strengthening Local Academic Senates* (ASCCC, 1989). The proposal was approved by the ASCCC in the 1989 Fall Plenary Session and by the Board of Governors in July of 1990. The ASCCC and the trustees' organization (the Community College League of California (CCLC), then issued the *Guidelines for Implementation of Section 53200 – 53204 of Title 5 of the Administrative Code of California* (ASCCC & CCLC, 1991), a Memorandum of Understanding that offered a joint interpretation of these regulations; it was adopted at the 1991 spring session of the Academic Senate. Subsequently, *Participating Effectively in District and College Governance*, a revised Q&A document, was jointly produced with CCLC and adopted by the ASCCC at the Fall 1998 Plenary Session *Scenarios to Illustrate Effective Participation in District and College Governance* (ASCCC & CCLC, 1995), a companion document, applies the interpretations to specific scenarios. These earlier legislative actions and their subsequent codification in Title 5 Regulations, as well as the legal and interpretive documents that emerged, provide the framework for the following discussion.

Today, the Academic Senate for California Community Colleges continue to be the voice for all California community college faculty in academic and professional matters. A variety of documents regarding the growth and development of the Academic Senate for California Community Colleges can be found on the ASCCC website; for example:

- [\*Establishing Academic Senates in California Community Colleges\*](#) (Case, 1971)
- [\*60 Milestones in the History of Senates and the Academic Senate for California Community Colleges\*](#) (Conn, 1986)
- [\*Brief History of the Academic Senate for California Community Colleges\*](#) (ASCCC, 1997)

# PART II

## ROLES AND RESPONSIBILITIES OF THE SENATE

THIS SECTION OF THE HANDBOOK DEALS WITH THE LEGAL underpinnings which define and support the operation of academic senates. The first part of this section, *The Legal Basis: Education Code, Title 5, Accreditation, and Local Implementation*, explains pertinent legislation, California Education Code, Title 5 Regulations, and local board of trustees' policies and regulations. The second part of this section, *Consultation, Senate/Union Relations, and Senate Roles in Accreditation*, presents effective practices and information regarding collegial consultation, building and maintaining effective relationships between senates and unions, and the role of the senates in accreditation.

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### The Legal Basis: Education Code, Title 5, Accreditation, and Local Implementation

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The rules governing the operations of California community colleges come from a number of sources. The roles and responsibilities of local senates and faculty are spelled out in several places:

- **Legislation:** Legislation originates in either the California Senate or the Assembly. If the piece of legislation originates in the Assembly, it is referred to with the prefix "AB" and the bill number (*e.g.*, AB 1725). If a legislative bill originates in the Senate, it is referred to with the prefix "SB" and the bill number (*e.g.*, SB 860). Bill numbers are reused in each legislative session; for example, AB 1725 in 1988 famously dealt with community college reform, whereas in the 2013-14 session AB 1725 was a bill regarding mental health hearings for the gravely disabled. The legislation language provides the intent of the legislation and specifics of which codes should be amended or created.
- **Education Code:** When a piece of legislation pertaining to education is passed by the legislature and not vetoed by the governor, it is "chaptered" into the California Education Code. The requirements found in the California Education

Code are therefore a result of legislation and can be modified only by subsequent legislative action. They appear in their full text, including the intent language of the original authors, on the legislature’s website [California Legislative Information](#) website.

California Education Code is divided into three sections:

- ♦ Title 1. General Education Code Provisions [1 – 32500]
- ♦ Title 2. Elementary and Secondary Education [33000 – 64100]
- ♦ Title 3: Postsecondary Education [66000 – 101060]
- ♦ Most of the codes pertaining to the California Community College will be found in two sections:
- ♦ Education Code. Part 40. Title 3, Chapter 9. Community Colleges, Section 66700 – 66764
- ♦ Education Code. Division 7. Community Colleges, Section 70900 – 88651

While most of the codes pertaining to California Community Colleges may be found in sections 66700 to 66764, other codes pertaining to community colleges may be found throughout the California Education Code. The [California Legislative Information](#) website has a powerful search feature to help locate specific codes. The California Education Codes change as new legislation is chaptered, usually on January 1 of each year, and a senate president should always check the [California Legislative Information](#) website for the most up-to-date Education Codes.

- **Title 5:** The California Community College Board of Governors codifies the rules for the implementation of Education Code in Title 5. Title 5 is published as part of the [California Code of Regulations](#). These regulations have the force of law, though they can be modified by action of the Board of Governors without legislative intervention. Most of the sections regarding California Community Colleges will be found in *Division 6: Community Colleges* of Title 5. Because Title 5 can be changed more easily and frequently than Education Code, local senate presidents need to check for the most up-to-date versions on the official [California Code of Regulations](#) website.
- **Standing Orders:** The Board of Governors enacts “Standing Rules” that instruct the Chancellor’s Office on how to carry out its functions. The Standing Rules of

the Board of Governors are reviewed annually and may be found on the [State Chancellor's Website](#).

The *Legislative Index* (2015), created by former ASCCC President Kate Clark, contains an index of topics “cross-walked” from the intent expressed in the legislation *Community College Reform Act* (AB 1725, Vasconcellos, 1988), to sections in the California Education Code and then to the specific sections in Title 5.

### **Defining and Understanding the Role of the Academic Senate: Selected Passages from the California Education Code Specifying the Roles of the Academic Senate**

The following section highlights some of the significant segments of the California Code of Regulations with links to the sections on the [California Legislative Information](#) website. Education Code changes with new legislation, so the online version of the handbook ([asccc.org/papers/handbook2015](http://asccc.org/papers/handbook2015)) hyperlinks to the most current versions of the codes, rather than excerpting them here. These important legal strictures are designed to ensure faculty's full participation in the educational and governance processes at community colleges.

- **Education Code: § 70902 (b)(7) Governing Boards; Delegation**

Requires the local Board of Trustees to establish procedures to ensure participatory governance.

- **Education Code: § 87359 (b) Waiver Of Minimum Qualifications; Equivalency**

Requires the local Board of Trustees to rely primarily upon the advice of the senate regarding faculty meet minimum qualifications.

- **Education Code: § 87360 (b) Hiring Criteria**

Requires the local Board of Trustees to develop hiring criteria, policies, and procedures for new faculty members.

- **Education Code: § 87458 (a) Administrative Retreat Rights**

Requires the local Board of Trustees to rely primarily upon the advice and judgment of the academic senate regarding procedures regarding administrators retreating into faculty positions.

- **Education Code: § 87610.1(a) Tenure Evaluation Procedures**

Requires that collective bargaining agents, or faculty unions, consult with the academic senate prior to negotiating tenure evaluation procedures.

- **Education Code: § 87663 (f) Evaluation Procedures**

Requires that collective bargaining agents, or faculty unions, consult with the academic senate prior to negotiating faculty evaluation procedures.

- **Education Code: § 87743.2 Faculty Service Areas**

Requires that collective bargaining agents, or faculty unions, consult with the academic senate prior to negotiating Faculty Service Areas (FSA).

See [Senate/Union](#) (Part II.A.5 of this handbook) for a discussion on how union-senate consultation may differ from the “collegial consultation” in which senates and administrations engage.

### **Defining and Understanding the Role of the Academic Senate: Selected Passages from California Title 5 Specifying the Roles of the Academic Senate**

The following section excerpts some of the significant segments of Title 5, [Division 6: California Community Colleges](#). The [California Code of Regulations website](#) is maintained by Thomson Reuters, which does not create persistent links to sections of Title 5. While Title 5 changes often and one should always check the website for the most current version, local academic senate leaders can find the fundamental structure of how academic senates should and may interact with boards of trustees in Title 5, Division 6, Chapter 4 Employees, Subchapter 2 Certificated Positions, Article 2 Academic Senate

#### **TITLE 5: §53200 DEFINITIONS**

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

**Academic and Professional matters** means the following policy development matters:

1. Curriculum, including establishing prerequisites.

2. Degree and certificate requirements.
3. Grading policies.
4. Educational program development.
5. Standards or policies regarding student preparation and success.
6. College governance structures, as related to faculty roles.
7. Faculty roles and involvement in accreditation processes.
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.

**Consult Collegially** means that the district governing board shall develop policies on academic and professional matters through either or both of the following:

1. Rely primarily upon the advice and judgment of the academic senate, OR
2. The governing board, or its designees, and the academic senate shall reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.

#### TITLE 5: §55202 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.
- d. The full-time faculty may provide for the membership and participation of part-time faculty members in the academic senate.
  - e. 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 shall adopt policies for the appropriate delegation of authority and responsibility to its college academic senate.
- b. In adopting the policies described in section (a), the governing board or designees, shall consult collegially with the academic senate.
- c. While consulting collegially, the academic senate shall retain the right to meet with or appear before the governing board with respect to its views and recommendations. In addition, after consultation with the administration, the academic senate may present its recommendations to the governing board.
- d. The governing board shall adopt procedures for responding to recommendations of the academic senate that incorporate the following:
  - (1) When the board elects to rely primarily upon the advice and judgment of the academic senate, the recommendation of the senate will normally be accepted, and only in exceptional circumstances and for compelling reasons will the recommendations not be accepted.
  - (2) When the board elects to provide for mutual agreement with the academic senate, and an agreement has not been reached, existing policy shall remain in effect unless such policy exposes the district to legal liability or fiscal hardship. In cases where there is no existing policy,

or when legal liability or fiscal hardship requires existing policy to be changed, the 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.
- f. The appointment of faculty members to serve on college committees shall be made, after consultation with the chief executive officer or 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: §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.

In addition to these regulations, other sections of the Education Code identify responsibilities the academic senate has, for example, in working with the local bargaining agent, in considering staff and student input, and in meeting both obligations and privileges delegated to the senate.<sup>1</sup>

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<sup>1</sup> Local bargaining agents (unions) may also negotiate the ability to appoint faculty to committees.

## **Incorporating the Law at the Local Level: Board Policy, Regulations, and Delegation of Authority**

### **BOARD POLICY, REGULATIONS, AND ADMINISTRATIVE PROCEDURES**

The state laws and regulations noted above are put into operation at the local level by the local board of trustees. Education Code and Title 5 Regulations grant certain powers and call for specific actions on the part of local boards. Local boards of trustees codify the operations of their colleges and districts by formally adopting board policies. One purpose of board policies is to define how external regulations and policies (Federal Code, California Education Code, Title 5, Accreditation standards, etc.) will be executed at the local level. Board policies inform chancellors, college presidents, and administrations on how the local board of trustees has decided to locally implement federal and state requirements and the approved methods by which the district and colleges may operate.

Board policies are often broad, providing the umbrella definition or intent for compliance with a federal or state requirement. The procedure by which a college or district will follow the requirements is often enumerated in companion board regulations or administrative procedures. Practices and terminology regarding board policies, regulations, and procedures differ among various districts.

State laws and regulations often clearly stipulate the role that a local senate must play in formulating and revising local policies and regulations, particularly if they were generated by mutual agreement between the board and a senate. While many districts post their local policies and regulations on their websites, senate presidents should secure full and current copies of these documents for their local senate files and ask for periodic updates to ensure that the senate's copies accurately reflect any recent board action. In addition, local senates should work with their administration to ensure that they are consulted as a part of the board policy and regulation review and creation processes, especially in regard to policies and regulations which impact the "10+1" items covered under [Title 5](#).

### **DELEGATION OF AUTHORITY**

For an academic senate, the most significant board policy is that which establishes the delegation of authority and responsibility in decision making in accordance with [Title 5](#). Title 5 §53203(a) stipulates,

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.

The Community College League of California (CCLC) Board Policy Service<sup>2</sup> provides subscribing districts with templates and a common board policy numbering system. This service is used by a majority of college districts, and the template for Board Policy 2510 and Regulation/Administrative Procedure 2510 contain the district's participatory governance policies. An example of the CCLC's model board policy on participatory governance may be found in the supporting document *CCLC Sample Board Policy on Participation in Local Decision Making* (CCLC, 2014). College districts that do not use the CCLC templates either do not have a specific policy delegating authority to the academic senate or have used an alternative number for the policy.

The intent of the *Community College Reform Act* (AB 1725, Vasconcellos, 1988) as enacted in Title 5 §53200 through §53203 and local policy is to assure “effective participation” of all college constituencies and to ensure that the local governing board engages in “collegial consultation” with the academic senate on matters that are academic and professional in nature. Although local policies that enact these Title 5 sections are often called “shared governance” policies, the term “shared governance” does not appear in statute and, in fact, may contribute to misunderstandings. Moreover, some administrators or other parties may misinterpret the regulations to call for equal voice or mandatory consensus on all matters, even on academic and professional matters over which the faculty have purview and primacy. “Effective participation” means that affected parties must be afforded an opportunity to review and comment upon recommendations, proposals, and other matters. This right of all college constituencies to participate effectively in discussions extends to the academic and professional matters delineated in Title 5, and therefore the academic senate is bound to hear and give due consideration to such

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<sup>2</sup> For more information on the CCLC Board Policy service see the document [CCLC-Policy Service](#) on the ASCCC website.

input; however, the academic senate retains its primacy regarding academic and professional matters and is not bound to adopt, accommodate, or reach consensus on concerns raised by other constituent groups. To attest to the fact the senate has afforded other groups opportunity to review proposals, the senate may wish to adopt a procedure and sign-off sheet; for an example, see *Samples of Decision Review Sign-off Sheets* (ASCCC, 2014).

Academic senates should review local policy annually so that all senators understand which of the “10 +1” academic and professional matters are defined as “rely primarily” and which are “mutually agreed” upon. The applications of these two levels of collegial consultation differ significantly, with each offering its own advantages and restrictions. If a governing board rejects the recommendation of the senate in regard to issues which fall within the “10 + 1” items, Title 5 has different requirements for the board to meet depending on whether the recommendation regards an item on which the board has agreed to “rely primarily upon the advice and judgment of the academic senate” or the item is one on which the governing board has elected to “provide for mutual agreement with the academic senate.”

If, for example, a governing board has elected to “rely primarily” upon the recommendation of a local senate for one or more of the “10 + 1” items, the board must ordinarily accept the senate’s recommendations, except when “exceptional circumstances and compelling reasons” may exist. *Participating Effectively in District and College Governance* (ASCCC & CCLC, 1998), a document written by a joint task force of representatives of the California Community College Trustees (CCCT), the Chief Executive Officers of the California Community Colleges (CEOCCC) and the Academic Senate for California Community Colleges, makes the following point about the concepts “exceptional circumstances” and “compelling reasons”:

The regulations do not define the terms ... and these terms are not intended to have a legal definition outside the context of this law... . 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. (p. 4, Question 12) [Note: for a full copy of these discussions, please visit the *Participating Effectively in District and College Governance* (ASCCC & CCLC, 1998).

Likewise, if the governing board has elected to reach mutual agreement with the academic senate for one or more of the “10 + 1” items, the board can act without such agreement having been reached, as *Participating Effectively in District and College Governance* explains:

On the other hand, where the board has adopted a policy of mutual agreement on any or all of the “10 + 1” items, the board may not act without having reached agreement with the senate, except when the existing policy “exposes the district to legal liability or causes substantial fiscal hardship.” In these circumstances, a board may act without reaching mutual agreement provided that it has made a good faith effort to reach agreement and has “compelling legal, fiscal or organizational reasons” to act without waiting any longer for agreement. (p. 5, Question 14)

The following chart offers a graphic representation of the differing requirements for board action in the absence of successful collegial consultation with the academic senate:

	<b>Primarily Rely Upon</b>	<b>Mutually Agree Upon</b>
<b>Board Rejects Only for:</b>	<p>Exceptional Circumstances</p> <p>Compelling reasons</p>	<p>After Good Faith Effort</p> <p>If district exposed to compelling:</p> <ul style="list-style-type: none"> <li>• Fiscal Hardship</li> <li>• Legal Liability</li> <li>• Organizational reasons</li> </ul>
<b>Board must:</b>	Provide a written explanation.	No written explanation required

To avoid such action by the local board, senate and administration should come to an agreement on process and definitions before a conflict over a policy develops:

- The senate and the administration should establish a clear understanding regarding which of the 10+ 1 items on which the board has elected to rely primarily upon the advice and judgment of the senate and on which they will seek to reach mutual agreement with the senate. This agreement is normally defined in local board policy or regulation.
- The administration and the senate should define the terms of Title 5 §53203 by establishing what constitutes the following:
  - ♦ An exceptional circumstance
  - ♦ A compelling reason
  - ♦ A good faith effort
  - ♦ Organizational reasons
  - ♦ The threshold for fiscal hardship and legal liability
- A process should be established through which items that qualify as 10+1, or other academic and professional matters as mutually agreed upon, can be identified and conflicts over whether an item qualifies as a 10+1 issue can be resolved.
- The formal process should be established through which the senate may request a written explanation if the board rejects an item on which it has agreed to primarily rely upon the senate’s recommendation.
- While not required by Title 5 §53203, an effective practice to maintain relations between the senate and administration is to build a process through which the senate may request written explanation on “mutually agree upon” items on which the board has elected to move forward without the agreement of the senate.

The ASCCC Relations with Local Senates Committee has compiled a series of resources to assist local senates in working with their boards:

- A document which contains samples of 62 California Community College districts’ Board Policies, *Compiled District BPs on Participatory Governance* (ASCCC, 2014), and Regulations on Participatory Governance which shows how different districts have approached creating policy language defining how the senate and administration should work together.

- Decision-making handbooks from various colleges are available in the Resource Documents section at the bottom of the [ASCCC Leadership Resources](#) page.
- [When the Board of Trustees](#) (ASCCC, 2014), a guide to options for a senate after a Board of Trustees has rejected a recommendation from the senate.

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## College Governance, Senate/Union Relations, and Senate Roles in Accreditation

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### **Governance, Effective Participation, and Collegial Consultation<sup>3</sup>**

The basis of the governance system in the California Community Colleges emanates from a fundamental belief in the importance of participatory decision-making. Education Code §70902(b)(7) directs local Boards of Trustees to “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...” The most critical words in this passage are “participate effectively”: all college constituencies have a right under Education Code to have their voices heard and their positions given fair consideration before a local board takes action on an issue.

The Academic Senate’s 2009 paper *California Community Colleges: Principles and Leadership in the Context of Higher Education* offers the following characterization of the community college governance process:

The implication is that all members of a college community share a common commitment to the mission of the institution. California community colleges serve a wide range of statutory missions, from career technical education students who seek certificates and degrees, to students who seek to transfer with or without completing a degree, to noncredit, basic skills, and lifelong learners who may still be in the process of discovering (or rediscovering) their educa-

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<sup>3</sup> Academic Senate for California Community Colleges. (2009). *California Community Colleges: Principles and leadership in the context of higher education*. ASCCC. [http://asccc.org/sites/default/files/publications/PrinciplesLeadership\\_0.pdf](http://asccc.org/sites/default/files/publications/PrinciplesLeadership_0.pdf)



tional goals. This fundamental fact makes community colleges very different from California's public four-year colleges whose student populations are virtually 100% degree-centered; their student population also arrives at a higher skill level, given the reliance of both systems on completion of A-G requirements (the 15 yearlong high school courses that must be completed to establish CSU and UC system eligibility) as a requirement of eligibility and their selectivity as defined in the Master Plan. While the composition of the student population of four-year colleges may be diverse, their nominal goal is homogenous. By contrast, both the composition and the intended goals of California community colleges are enormously diverse. p.23

The same paper goes on to note that a governance system that involves the participation of all college constituencies "is thus especially essential to California community colleges, since it is virtually impossible that any individual administrator or faculty member could be thoroughly familiar with the entire range of students' educational goals or instructional and student support services necessary to help students meet those goals" and that "Because California community colleges are chronically underfunded, the need for internal collaboration as colleges seek to meet broad and sometimes competing missions becomes even more critical."

However, while all constituent voices at the college must be heard and respected, Education Code §70902(b)(7) designates a more specific role for faculty by directing local boards to "ensure the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards." This essential role of faculty is further clarified in Title 5 Regulation §53200 (d), which defines the process through which local boards will consult collegially with academic senates:

**Consult Collegially** means that the district governing board shall develop policies on academic and professional matters through either or both of the following:

1. Rely primarily upon the advice and judgment of the academic senate, or
2. The governing board, or its designees, and the academic senate shall reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.

*California Community Colleges: Principles and Leadership in the Context of Higher Education* again explains the reasoning behind this expanded role for faculty:

- Collaboration is necessary not only because of the faculty’s special expertise in curriculum and program development, but also because faculty are in the best position to guide colleges to the most effective use of limited resources capable of meeting the range of challenges community colleges face.
- Administrators who respect faculty are more likely in turn to be the recipients of respect from the faculty; administrators who have the respect of faculty can inspire the analysis and institutional change necessary to help institutions better serve their students.
- Administrators who don’t respect or collaborate with faculty will still lead institutions in which excellent teaching takes place in many classrooms, but such colleges are unlikely to reach the level of excellence that is the result of broad institutional collaboration.

Thus, while Education Code provides for the effective participation of all constituent groups in college governance processes, “collegial consultation” has a more direct and clearly defined meaning and applies specifically to academic senates, thus recognizing the expertise and the importance of faculty in college and district decision-making.

For more information on the importance of Collegial Consultation see the ASCCC report [\*California Community Colleges: Principles and Leadership in the Context of Higher Education\*](#) which discusses how collegial consultation leads to effective leadership.

## **Senate/Union Relations**

The academic senate and a college’s collective bargaining agent, or faculty union, work together for the benefit of faculty, but questions often arise concerning the roles of the respective organizations. Put in its simplest terms, the academic senate represents the faculty in academic and professional matters and the collective bargaining agent represents the faculty regarding working conditions.

More specifically, the academic senate represents the faculty in the eleven specific areas defined by [Title 5](#). Furthermore, the Education Code<sup>4</sup> assigns additional responsibilities to academic senates, such as minimum qualifications and equivalency processes, faculty hiring, faculty evaluation and tenure review, administrative retreat rights, and faculty service areas. The collective bargaining agent represents the faculty in such areas as workload, assignment, working hours, academic calendar, and salary and benefits. Typically, the role and responsibilities of the collective bargaining agent are evident in the agreement between the bargaining agent and the district.

The roles and responsibilities of the academic senate and the bargaining agent frequently, and with good reason, overlap. For example, policies for faculty professional development is one of the academic and professional matters assigned to the academic senate by Title 5 Regulations. However, many collective bargaining agreements also address such areas, particularly with respect to flex service—though the focus might tend more toward the legal aspects of professional development such as service obligations. Likewise, sabbatical leaves (terms, application process, requirements, pay, etc.) are typically addressed in the collective bargaining agreement. However, as the intent of sabbaticals is to promote professional and personal growth and faculty professional development is among the academic and professional matters, some local senates elect the sabbatical committee chair, appoint committee members, and approve specific sabbatical proposals, which has the effect of making the sabbatical committee a senate committee. Protecting a senate committee’s status in the contract does not make it any less a senate committee. The contract language should ensure that the local senate retains its right to appoint and report and to render decisions.

These examples demonstrate how local academic senates and the collective bargaining agents comingle their responsibilities. Those purviews are further entangled as the Education Code requires that bargaining agents consult with the academic senates prior to engaging in bargaining on evaluation, tenure review processes, and faculty service areas. Additionally, the bargaining agent should consult with the senate prior to negotiations to determine any additional areas of mutual interest

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<sup>4</sup> Specifically §§ 87610.1(a) Tenure Evaluation Procedures, 87663(f) Evaluation Procedures, and 87743.2 Faculty Service Areas of the Education Code requires collective bargaining agents (unions) to consult with the academic senate prior to negotiating faculty tenure and performance evaluation procedures as well as Faculty Service Areas.

and concern to be bargained. Some senates and unions may wish to establish joint committees or issues-oriented task forces to exchange information. Each organization has its primary area of responsibility and focus, and each may—and likely will—approach issues differently. In addition, each organization represents the same group of people. Faculty interests are best served when the two faculty representative groups work cooperatively with each other.

Other useful suggestions in negotiating the relationship between senates and unions are contained in the Academic Senate paper [Developing a Model for Effective Senate/Union Relations](#) (ASCCC, 1996). The ASCCC also has a number of other papers addressing the issue of the overlapping roles of local senates and bargaining agents, including the following:

- [Enrollment Management Revisited](#) (ASCCC, 2009) examines the academic and professional issues surrounding managing enrollment in classes and contains a section on the overlap of senate and bargaining agent interests with enrollment management.
- [Program Discontinuance: A Faculty Perspective Revisited](#) (ASCCC, 2012) reviews current regulation and statute, the role of local academic senates, effects on students, the need to balance the college curriculum, educational and budget planning issues, collective bargaining concerns, and other considerations when developing a local model for program discontinuance.
- [Sound Principles for Faculty Evaluation](#) (ASCCC, 2013) examines how academic senates, bargaining agents, and college administration must work together to establish processes that are fair and consistent and that are not perceived by faculty as threatening or punitive.

## **Role of the Senate in Accreditation**

The Academic Senate for California Community Colleges approved the following statement in Resolution 02.01 [ASCCC Statement on Accreditation](#) (Fall, 2013):

The Academic Senate for California Community Colleges (ASCCC) values the peer review process of self-reflection and improvement known as accreditation. Since local academic senates are given Title 5-designated roles within the accreditation process, the ASCCC sees its primary responsibility as helping colleges to meet the adopted standards for which they will be held accountable

and to generate comprehensive and forthright assessments of progress toward the standards. Our main tool for supporting colleges is the annual Accreditation Institute through which faculty and other colleagues are encouraged to learn about and address the standards and recommendations from the Accrediting Commission for Community and Junior Colleges. Additionally, the ASCCC shares accreditation information and support through local college visits and regional presentations. As a professional matter, in support of the ideal of a fair and meaningful accreditation process, our secondary responsibility is to recommend improvements to the accreditation standards and processes by providing thoughtful feedback and input to all accreditation participants.

The relationship between the Academic Senate, both locally and statewide, and accreditation is unique. At the local level, academic senates have a legal role in the accreditation process as outlined in Title 5 Regulation's list of academic and professional matters designated to senates (the 10+1), an official responsibility in the accreditation process that no other faculty constituent group is afforded. At the state level, the ASCCC has supported faculty's accreditation work since its founding, with even more pronounced involvement in accreditation training and assistance over the past 10 years. Since the senate-accreditation relationship continues to evolve, the current roles of both local senates and the ASCCC with respect to the accreditation process may not be immediately familiar to new faculty leaders or other faculty experiencing accreditation for the first time.

For local senates, the role of faculty in accreditation processes is defined as one of the 10+1 academic and professional matters. As Title 5 makes clear, local senates make recommendations regarding "faculty roles and involvement in accreditation processes, including self-study and annual reports." Just as with other academic and professional matters in the 10+1, district governing boards must either rely primarily upon or mutually agree with the academic senate on faculty accreditation roles and involvement. As with all academic and professional matters, the determination of whether a board will rely primarily upon or mutually agree with the academic senate with respect to faculty roles on accreditation belongs to the

interpretation of the local college or district and is typically defined in board policy. In a day-to-day sense, academic senates are responsible for ensuring effective and meaningful faculty participation in accreditation by participating in accreditation planning, confirming faculty to serve on accreditation committees, providing leadership in the areas of the Accreditation Standards that fall under academic purview, and interacting with the evaluation team during the team's visit. The academic senate president of a college often serves as chair or co-chair of an accreditation committee, particularly the college-wide accreditation coordinating committee or one of the two standards committees which most relate to academic and professional matters, Standard II (instruction) or Standard IV (governance). At the 2013 ASCCC Accreditation Institute, keynote speaker Nathan Tharp noted that the faculty member with the most accreditation information on virtually every campus he studied was the academic senate president. Because the academic senate president is required to sign all of the reports sent to the Accrediting Commission, including annual reports local academic senates must be significantly involved and familiar with accreditation and all that it entails.<sup>5</sup>

Since 1986 the ASCCC has passed over 100 resolutions regarding accreditation. This 30 year history of ASCCC positions provides a varied and nuanced series of faculty perspectives on the accreditation process; nevertheless, several key positions permeate the body's work:

- Faculty and academic senates have a primary role in the accreditation process.
- In order to be meaningful and fair, visiting teams must include faculty representatives who have received appropriate training and have been appointed in a way that allows them to complete an independent evaluation.
- Faculty and senate leaders should be given an opportunity to develop and review accreditation documents for accuracy.
- Faculty and academic senate input is crucial as accreditation standards are being revised.
- Accreditation standards should be based upon evidence and research rather than trends.

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<sup>5</sup> Section taken from: Davison, D. & Smith, P. (2013) Accreditation and the Academic Senate: An Ongoing Relationship. *ASCCC Rostrum*. <http://asccc.org/content/accreditation-and-academic-senate-ongoing-relationship-0>

- The Academic Senate opposes the reductionist imposition of a corporate/business model of evaluation on the complex reality of teaching and learning.
- The Academic Senate rejects efforts to tie faculty evaluations to student attainment of learning outcomes because so many variables outside the faculty's control impact student success.
- Although the Academic Senate understands that any accreditation process entails certain necessary expenditures, the Academic Senate is concerned about the growing resource costs and time expenditures required to conform to recent accreditation mandates and processes.
- The Academic Senate is open to exploring other methods and organizations for accreditation purposes.<sup>6</sup>

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<sup>6</sup> Section taken from: Smith, P. & Hochstaedter, A. (2013). Academic Senate Resolutions on Accreditation 1986 to the Present. *ASCCC Rostrum*. <http://asccc.org/content/academic-senate-resolutions/>

# PART III

## DUTIES AS A LOCAL SENATE PRESIDENT

THE FOLLOWING SECTION IS INTENDED TO PROVIDE AN OVERVIEW of typical duties performed or delegated by academic senate presidents. This list offers a starting place from which to shape questions about a new senate president's responsibilities; it should not be taken as an official job description against which a senate president should be measured but rather as a checklist of responsibilities others have encountered.

This part of the handbook contains sections on the general duties of a senate president, recommendations for developing senate participation and leadership, a list of college or district reports which require the sign-off of the senate president, and effective practices in appointing faculty to committees.

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### A Local Senate President's Duties Include The Following:

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#### **Being familiar with the statutory and regulatory context in which the senate operates**

- Protect and honor the participation of faculty in institutional decision making regarding academic and professional matters as defined by [Title 5 Regulations](#):
  1. Curriculum, including establishing prerequisites.
  2. Degree and certificate requirements.
  3. Grading policies.
  4. Educational program development.
  5. Standards or policies regarding student preparation and success.
  6. College governance structures, as related to faculty roles.



7. Faculty roles and involvement in accreditation processes.
  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.
- Identify and address statutory and regulatory issues in Education Code, and Title 5 Regulations as they relate to academic and professional matters and organize a faculty response in a collegial and timely manner (for more information see Part II of this handbook: [Sections of Education Code Affecting Academic Senates](#)).
  - Observe the letter and spirit of all applicable laws, especially the Open Meetings Acts (see Part IV of this handbook: [Compliance with the Open Meeting Acts](#) for more information).
    - ♦ Develop agendas for and chair meetings of the academic senate.
    - ♦ Ensure the timely publication of the senate agenda.
    - ♦ Disseminate other documents, such as minutes, reports, and supportive evidence, in a timely fashion pertinent to committee or senate discussion and action.
  - Ensure the effective participation of faculty in the joint development of institutional policy, e.g., minimum qualifications and equivalencies, faculty hiring procedures, tenure review, faculty service areas, and faculty evaluation procedures.
  - Adhere to the specific institutional responsibilities outlined in local constitution and by-laws.
  - Implement college and district governance policies, ensuring the effective participation of other governance groups and the primacy of faculty on academic and professional matters.
  - As required by [Title 5](#), after consultation with the chief executive officer or designee, appoint faculty representatives to college and district-wide committees (see [Committee Appointments](#) later in this section for more information)

## Advocating for Faculty Interests

- Serve as the official spokesperson and advocate for the faculty in academic and professional matters.
- Work to resolve academic and professional concerns of individual faculty members.
- In matters not involving academic and professional issues, refer faculty to appropriate processes.
- Provide initiative in identifying and pursuing important institutional issues.
- Meet regularly with the superintendent/president and the vice-presidents and with other administrative staff as needed.
- Advocate for appropriate faculty professional development funding and ask to have such funding called out and earmarked in appropriate grants calling for the senate president's or designee's signature.
- Archive the senate's historical records.
- Sign certain institutional documents and reports sent to relevant authorities, e.g., Matriculation Plan, Accreditation Self-study, and Annual Report (for more information see [College/District Reports Requiring Senate Sign-Off, Review Or Vigilance](#) later in this section).

## Promoting an Effective Relationship with the Board of Trustees

- Attend and participate in meetings of the Governing Board or college administration.<sup>7</sup>
  - ♦ New faculty and trustees should receive orientation on board, faculty, and administrative responsibilities regarding participatory governance and expectations about faculty involvement in governance.
  - ♦ Faculty, administration, and board members must have opportunities to interact, both formally and informally.

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<sup>7</sup> Lucey, C. (2002). Civic Engagement, Shared Governance, and Community Colleges. *Academe*, 88(4), 27-31.

- ♦ The governing board's policies should acknowledge the expectation that faculty exercise expertise and responsibility in the areas of academic and professional matters.
- ♦ The various college constituencies should have an opportunity to provide reasonable input into major college decisions.
- ♦ A predisposition toward and commitment to mutual respect and trust should exist among all parties, even when they seriously disagree.
- ♦ All members of the college community should support successful compromise as the highest end and be willing to negotiate differences.
- ♦ Colleges and districts should establish generally accepted and codified rules for settling disagreements among constituencies.
- Attend other functions of the board, such as retreats and study-sessions, if possible.
- Communicate recommendations of senate positions relating to academic and professional matters to the Board.
- Serve as the primary source of recommendations to the Governing Board on academic and professional matters.
- Participate in the review and creation of board policies and regulations which impact academic and professional matters (see Part II of this handbook: [Board Policy](#) for more information).

## **Maintaining Contact with the Academic Senate for California Community Colleges**

- Attend fall and spring pre-plenary Area Meetings
  - ♦ Before the Area Meetings, work with the local senate to develop any resolutions that the senate would like to have introduced at the plenary. Bring any such resolutions to the Area Meeting for discussion.
- Attend and participate in the fall and spring [Academic Senate Plenary Sessions](#),
  - ♦ Before the Plenary Sessions, distribute the draft resolutions to the local senate for discussion.
  - ♦ After the Plenary Session, distribute the adopted resolutions.
- Attend ASCCC [Institutes](#) such as the following:
  - ♦ Curriculum Institute

- ♦ Faculty Leadership Institute
  - ♦ Vocational Leadership Institute
  - ♦ Academic Academy
  - ♦ Accreditation Institute
- Attend ASCCC Regional Meetings, a series of one-day regional workshops on such topics as basic skills, student equity and success, and curriculum.
  - Use the [ASCCC website's](#) search feature to look for resources, such as resolutions, *Rostrum* articles, or papers, to help inform the local senate and college discussions.
  - Seek information about the deliberations of system-wide organizations that may impact California community colleges.
    - ♦ Subscribe to [ASCCC Listservs](#). The ASCCC has over 50 different listservs, from discipline specific to broader governance issues.
    - ♦ Read the [ASCCC Rostrum](#).
  - Remain vigilant about legislation affecting the California community colleges.<sup>8</sup>
    - ♦ The Faculty Association of California Community Colleges (FACCC) website provides an excellent legislation tracker: go to <http://www.faccc.org/current-legislation/>
    - ♦ The California Community College Chancellor's Office Advocates Listserv provides email updates on current legislation. To receive these updates, interested parties can send an e-mail from the address to be subscribed to [listserv@listserv.cccnext.net](mailto:listserv@listserv.cccnext.net) and put "subscribe advocates" in the body of a blank, non-html e-mail with no subject or signatures.
    - ♦ The Community College League of California (CCLC) also publishes a great deal of useful information regarding legislation under the "government relations" tab of its website ([www.ccleague.org](http://www.ccleague.org)). This site includes analysis of bills, legislative updates, and even an advocacy handbook.

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<sup>8</sup> Recommendations from Morse, D. & Crump, D. (2013). Advocacy at the Local Level: What Your Senate Can Do to Stay Informed and Active. *ASCCC Rostrum*. <http://asccc.org/content/advocacy-local-level-what-your-senate-can-do-stay-informed-and-active-0>

## Maintaining Effective Relationships with Other Governance Groups

- Work with the collective bargaining agent, or faculty union, in the joint development of institutional policy on topics where organizational purview overlaps, such as minimum qualifications and equivalencies, faculty hiring procedures, tenure review, faculty service areas, and faculty evaluation procedures (see Part II of this handbook: [Senate/Union](#) for more information).
- Work with students and student organizations such as the local student senate to ensure their effective participation in areas and issues that may have significant effect on students individually and the student body at large.
  - ♦ Title 5 §51023.7 defines the following as issues on which colleges and districts must provide students the opportunity to “participate in formulation and development of district and college policies and procedures that have or will have a significant effect on students.”
    - (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.

- Work with staff to ensure their effective participation in areas that “matter significantly” to them.
  - ♦ Title 5 §51023.5 requires that “governing boards 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.”
  - ♦ Title 5 does not delineate specific issues which “matter significantly” to staff but instead identifies such issues as those that the local governing board “reasonably determines, in consultation with staff, have or will have a significant effect on staff.” (Title 5 §51023.5 (a) (4)).

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## Recommendations for Developing Senate Participation and Leadership

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- Conduct orientations of new faculty to explain the functions of the local senate.
- Foster connections with the faculty beyond the senate (for more on this see Part IV of this handbook: *Keeping the Faculty Informed*)
  - ♦ Visit department or division meetings once each year or term, preferably at the beginning, and explain how the work of the senate can help address each discipline group’s unique perspective on specific academic and professional matters. These visits can be a great tool for recruiting faculty for senate committees.
- Create an orientation for new senators to help them understand their role and the role of the senate in participatory governance.
- Develop a periodic ongoing academic senate training program to reinforce awareness and understanding of senate roles and purview. An example of such a program might be to set aside time in some or all senate meetings to discuss specific governance or policy issues and responses to them. Focusing on one of the scenarios developed jointly by the ASCCC and the Community College League of California, available at <http://asccc.org/papers/scenarios-illustrate-effective-participation-district-and-college-governance>, can be a good foundation for such discussions.

- Encourage other faculty to participate in the events sponsored by the Academic Senate for California Community Colleges.
- Provide leadership to senate, college, and district-wide committees to ensure productive and efficient completion of tasks and regular reporting to the senate as a whole.
- Identify and mentor potential future faculty leaders, such as committee chairs, task force chairs, and senate officers. (For more on this see [Planning—Finding a Replacement](#) in this section)

(For more specifics on faculty participation in participatory governance see Part IV of this handbook: [Faculty Participation](#))

## Foster Communication

- Engage in ongoing discussions with faculty on the issues of the day.
- Facilitate the development and vetting of faculty views.
- Facilitate communication among the faculty and with administration and the governing Board.
- Ensure that minutes of the local senate meetings, its Executive Council meetings, if applicable, and other meetings of the body are published in a timely manner and in line with the Open Meeting Act.
- Engage in and keep record of local senate correspondence, including electronic communications. (For more information on what types of materials should be archived see [Part IV, Resources Available in Senate Files.](#))
  - These records will be invaluable for future leaders to understand previous decision making processes and reasoning.
  - These records may provide evidence for accreditation reporting.
  - Legal requirements, either local or state, may require certain records to be kept.<sup>9</sup>

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<sup>9</sup> Title 5 §59020 through §59026 define types of records and the length of time that they must be maintained by college districts. Local boards will also often have policies and regulations regarding which records need to be maintained.

- Encourage the maintenance of a local senate website.
- Communicate with and respond promptly to requests for information from the Academic Senate for California Community Colleges.

*(For more specifics on fostering communication see Part IV of this handbook: [Keeping the Faculty Informed](#))*

### **Secure Resources to Ensure Senate Success**

- Work with the local administration to identify the types of budget resources, such as reassigned time or travel, available to the senate.
- Work with the administration to put in writing any budget agreements to fund the senate. Informal agreements have a habit of disappearing with rapidly shifting administration members.
- Justify to the college administration why inadequate resources may harm students, accreditation, campus climate, and effective participatory governance in order to convince the college to increase resources.

### **Further Efforts to Appoint and Retain Qualified Personnel**

- Appoint faculty to administrative hiring committees.
- Participate, as permitted by law, in the evaluation of staff, including administrators with whom the senate presidents work, as well as staff serving the local senate.
- Assure effective faculty participation on various institutional groups, e.g., Student Success Committee, Department Chairs, Staff development.
- Assist in the orderly transfer of authority to the senate president-elect.

### **Organize and Delegate Authority: Working with a Local Senate Executive Team**

The responsibilities of the senate leadership may seem daunting, but delegating specific tasks to each member of the senate's executive team can make it manageable. A senate's executive team may be organized in numerous effective ways. While no single way of organizing the executive team is correct, the duties of each of the senate officers should be clearly defined. Senates may decide to assign recurring items such as governance committee representation, recording



and dissemination of minutes, and overseeing elections to a specific officer commiserate with compensation or reassigned time. The responsibilities of the senate executive members should be delineated in the senate bylaws or procedures document. [For an example of how this has been done by several senates around the state, see the [Senate Constitution and Bylaw Codex](#). (ASCCC, 2014).]

Senate president should also involve senate officers in decision making and encourage their participation in ASCCC functions such as Plenary Sessions, Area Meetings, and Faculty Leadership Institutes.

### **Responsibilities within a Multi-college District**

In addition to the responsibilities noted above, a local senate president in a multi-college district will have additional duties:

- Serve as the representative of his or her college.
- Serve or appoint others to serve on district committees as requested by the chancellor or district-level administrators.
- Be responsible to see that board rules, particularly those governing curriculum and hiring processes, are adhered to both at the district and college level.
- Be the major conduit for district-wide information that must reach the college faculty—and sometimes other constituencies—in a timely manner.
- Advise the district on the college senate’s positions on present and emergent policy matters.

### **Succession Planning**

One of the earliest tasks of a new senate president is to identify a potential successor—his or her replacement. This successor might be a current or past member of the executive board as well as a current or past senate member as appropriate.

- Consult the senate’s constitution and or bylaws for guidelines on term limits, succession patterns, and election procedures. If this process does not appear in the senate constitution and or bylaws, the senate might want to begin the discussion to codify these processes.

- Budget allowing, invite potential senate leaders to attend the ASCCC Leadership Institute along with Plenary Sessions and other events sponsored by the Academic Senate along with the president. This practice is superior to sending potential leaders alone and can help to provide mentoring.
- Show interested individuals how the responsibilities of the senate president are manageable through delegation of responsibilities.
- Cast a wide net. Senate presidents need to have a sufficient pipeline for the future and may identify future senate leaders in unexpected places.
- Assign potential senate leaders increasing responsibility as their interests allow.
- Urge individuals interested in acquiring leadership skills to enroll in the ASCCC Professional Development College.

### **Utilizing Mentors and Advisors**

- Past senate presidents are a valuable resource. A senate president should find individuals with whom he or she can relate and seek out their advice in challenging situations.
- Current senate presidents in a multi-college district can also guide a new president through rough patches. Utilize colleagues' expertise as appropriate.
- Request a visit from ASCCC leaders, including members of the Relations with Local Senates committee.

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## **College/District Reports Requiring Senate Sign-Off, Review or Vigilance**

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The table below contains a listing of reports or documents calling for the local senate president's signature or senate approval, as well as materials requiring senate vigilance as they move through administrative channels, often without required local senate review. While this table provides tentative due dates as of this publication, these reports are often fluid and districts may sometimes apply for reporting extensions. Further, new action by the legislature or the Board of Governors may eliminate or increase the reporting obligations of a college. Use

this table as a starting point to inquire about the responsibilities the senate president may share with the offices of financial aid, matriculation, transfer centers, economic development, research and grants, and elsewhere across the campus.

Report	Vigilance	Sign	Comments	Approximate Due Date*
Administrator Evaluations			This may be a locally agreed upon part of administrator evaluations.	See local policy
Accreditation Self-Study/ Interim Reports		X		Minimally each six years, or more frequently as stipulated by WASC; updates and interim reports generally occur each 3 years, mid cycle
Articulation Report		X	Chancellor's Office (CCCCO)	Late November
Basic Skills Report		X	CCCCO	October 1
Delay of Maintenance of Effort (75:25 ratio report, P-1)	X			
Faculty Hiring Obligation	X		CCCCO	November
Faculty/Staff Equity Plans		X		
GE Breadth Request for Approval	X			
Grants of faculty applicants				Varies; dates posted on CCCCCO website

IGETC Requests for Approval	X			
Matriculation Report		X	Description, sign-off to CCCCCO	Late August
Student Equity Plan		X		
Technology Report				
Title III Reports				
Transfer Center Report			CCCCO	September

\*Because dates are fluid and may be extended, use this list as a mere stimulus for questions and inquiry.

Grant applications often require a senate president’s signature to attest that the faculty has considered the academic implications. In practice, many local senate presidents report that administrators or grant-seeking faculty solicit needed signatures only days or hours before the document is due; other applicants may submit reports or forms without documentation, necessary budget information, or other essential information. To avoid these pressing circumstances, the Academic Senate recommends the following techniques:

- Inform the college faculty and administrators that materials calling for the senate president’s signature or approval must be submitted in their entirety to provide enough time for a full review of the academic senate in advance of the intended mailing or submission date.
- Refuse to sign materials that are incomplete or are proffered in circumvention of the senate’s established process. Such a refusal is not unprofessional if administration has not followed proper procedure.
- Insofar as possible, inform the faculty or administrators that materials requiring senate approval will be taken to the next senate meeting or officers’ cabinet meeting as stipulated by senate bylaws or standing rules. “I will get back to you as soon as the senate has made its decision” is an acceptable and responsible statement.

- If a document or report requiring the senate’s approval arrives late for what appear to be legitimate reasons and such late submissions are unusual for the local administration, then exploring a method to expedite the approval in this specific case can be the collegial action. In contrast, if the administration makes a habit of such late submissions, that habit is unlikely to change unless the senate insists on following proper procedures and withholds approval until the process has been followed.

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## Committee Appointments

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All faculty appointments to any college body dealing with academic and professional matters as defined in Title 5 Regulations, with the exception of those specifically called out as being appointed by the bargaining agents, are to be made by the academic senate. Local academic senates may choose to delegate the responsibility for making certain appointments to the senate president without formal senate approval. Appointments to non-senate committees are made by the academic senate after consultation between the local senate president and the college president or chancellor ([Title 5](#)).

### **Reassigned Time for Participatory Governance Work**

Although each college is different, the academic senate should engage in a dialog with the administration regarding reassigned time for the agreed-upon and legally-mandated work of the senate and its committees. Certain practices may help to facilitate this dialog:

1. Remind administrators that a properly functioning senate is essential to the governance and health of the college and its accreditation.
2. Compile a list of agreed-upon responsibilities.
3. Create a list of duties and identify the workload necessary to accomplish them.
4. Negotiate fair compensation or reassigned time based on the identified workload.
5. Ensure that all agreements are recorded in writing.

## **Common committees and task forces to which faculty are appointed**

### **College Level**

- Accreditation
- Affirmative Action Committee
- Budget Committee
- Campus Safety
- College Bookstore/Cafeteria Committees
- College District Planning
- College Foundation
- Curriculum Committee
- Distance Education Committee
- Facilities Committee
- Faculty Hiring Committees
- Faculty Hiring Prioritization Committee
- Faculty and Administrative Evaluation Committee
- Institutional Planning Committee
- Master Plan Committees (Facilities, Education)
- Matriculation Committee
- Program Review Committee
- President's Cabinet/Council
- Research Committee
- Staff Development Committee
- Technology Committee

### **District Level**

- Calendar Committee
- Chancellor's Council Committee
- District Budget Committee
- District Curriculum Committee

- District Faculty Priorities and Hiring Procedures Committee
- District Facilities
- District Foundation Committee
- District Marketing
  - ♦ District Planning Committees
  - ♦ District Student Services
  - ♦ Equivalencies [Note: may be a college-level committee as well]
  - ♦ Technology (and District Distance Education) Committees
  - ♦ Other ad hoc committees as needed on policy changes recommended by the board or chancellor, or individual issues forwarded by a college within the district

### **Strategies to Increase Participation**

For a discussion on strategies for increasing faculty participation see [Part IV of this handbook: Faculty Participation](#).

# PART IV

## ENSURING THE EFFECTIVENESS OF THE LOCAL SENATE

LOCAL SHARED GOVERNANCE POLICIES CODIFY THE STANDING of local senates (for more on this topic see Part II in this handbook: *Incorporating the Law at the Local Level: Board Policy, Regulations, and Delegation of Authority*). This section of the handbook provides some effective practices for working with a college administration, running efficient senate meetings, adapting the ASCCC Resolution process for a local senate, keeping the faculty informed, and engaging faculty participation. This section also offers a list of resources to keep archived in senate files and an explanation of how a Technical Visit can assist in institutionalizing a senate's effectiveness.

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### Placement In The College's Governance Structure

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Education Code and Title 5 Regulations clearly indicate the purview and role of the local senate within the college's governance structure. That delegation of authority places the local academic senate in a unique position: the senate president has direct access to the board of trustees and can bring forward items to be placed on the board agenda without filtering by administrators. The voice of faculty must be given primacy on the 10 +1 academic and professional matters called out in [Education Code and Title 5](#) (See Part II of this handbook: [The Legal Basis: Education Code, Title 5, Accreditation, and Local Implementation](#)). Because Education Code §70902(b) (7) guarantees all college constituent groups the right to "participate effectively" in discussions of matters that may impact them, the local administration and the local academic senate are obligated to hear and give due consideration to all relevant voices in developing recommendations. However, the senate is not bound to accommodate or reach consensus with other constituencies regarding academic and professional matters, and allowing equal voice to all constituent groups in college or district decision making regarding issues that fall under the 10+1 areas violates both the spirit and the letter of Title 5 Regulations.



Even with the clear regulatory language in regard to the role of the academic senate in governance, senate presidents may find themselves in situations where academic and professional matters are placed on an agenda for a meeting of a college council or similar all-college governance group. If the academic and professional matters are placed on an agenda for information or general discussion and comment, that in itself is not necessarily cause for concern or alarm. On the other hand, if those academic and professional matters are placed on an agenda for some type of action or a recommendation to the governing board or to the chancellor or college president, such a practice is not appropriate because it does not respect the academic senate's purview.

Under these circumstances the senate president must dissuade the body considering the item from taking action, using the opportunity to educate the body as to the privilege and primacy of the academic senate on academic and professional matters. The senate president might choose to distribute to the body the portions of [Title 5](#) that define the senate's purview and may further urge the body to declare the matter an academic and professional matter, indicating its acknowledgement of the senate's official status on the issue at hand. As the document *Participating Effectively in District and College Governance* states,

Many colleges have found coordinating councils useful, but some cautions are warranted ... a coordinating council is not the appropriate body to make recommendations to the governing board or designee on academic and professional matters. These issues are appropriately within the purview of the academic senate. Furthermore, care should be taken in placing decision-making authority in the hands of coordinating councils. The strength of participatory governance lies in recommendations being made by those who have the necessary expertise and are most affected by the decision. (ASCCC & CCLC, Page 8, 1998)

While the senate should welcome and even encourage the interest and opinions of classified staff colleagues, management colleagues, and students, the recommendation must come from the official voice of the faculty, the academic senate, on academic and professional matters.

Clearly, a communication channel that permits timely and orderly exchange of information at every level of the governance structure is critical to the work of a senate president. A local senate president's responsibility is to ask the senate to deliberate on policy and procedural questions that affect academic and professional

matters, enabling the senate president to act both as the principal watchdog for the faculty and as their chief spokesperson once the senate has voiced its stance. At the same time, a senate president must avoid appearing to speak for the senate prematurely, for administrators may tend to assume that if they have consulted with the senate president, they have consulted with the senate itself. Local senate presidents must be nimble, articulate, persuasive, diplomatic, persistent, and, most of all, determined. Often when the senate president attempts to dissuade committees from taking action or recommending action to the governing board, chancellor, or president, others will cite expediency and urgency as reasons to bypass proper process and may even suggest that the senate president's vote on the committee represents senate recommendation. On these occasions, the senate president should remind those present that proper and prudent expediency can be achieved through foresight and clear communication and that the senate cannot be reasonably represented on matters that have not be brought before it for deliberation.

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## Effective Senate Operations

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The next section will offer some strategies to ensure that the senate itself benefits from effective participation. To be wholly effective and participatory, the senate must see the senate president's own leadership as open, encouraging of a free exchange of information, and respectful of those who express divergent and even unpopular points of view. In exchange, as faculty serve the senate on committees and task forces, they must report back to and receive their direction from the senate: they must carry forth the expressed will of the local senate.

### **Constitutions and Bylaws**

Each local academic senate needs a constitution, and each would benefit from having a set of bylaws in place as well. Though these terms are sometimes used interchangeably, technically the constitution of an organization sets out the fundamental principles that govern a group's nature, function, and limitations of governance. A constitution also explains how the body is "constituted," and it typically defines who the officers are and how they are selected for and removed from office. Thus, the constitution might identify the purposes of the local academic senate and define which officers comprise the senate's executive committee. A senate's consti-

tution is typically voted on by the faculty at large and may require approval of the full faculty to amend.

Bylaws, on the other hand, are guidelines or operating procedures to implement the constitution and are often developed and revised by the senate itself. Bylaws spell out how the organization conducts its business and may even specify the time period during which business will be done. Thus, a typical set of bylaws will do the following:

- Articulate the senate’s election process, including the composition of the election committee, voting procedure, vote counting procedure, duration of the election period, announcement of results, and assumption of office by elected faculty.
- Address development and distribution processes for meeting agendas and any other similar procedural matter.
- Delineate the job requirements of the senate’s executive committee (for more on this see Part III of this handbook: [Organizing and Delegating Authority](#))

Constitutions and bylaws should be regularly reviewed to ensure that all senators are familiar with the requirements and procedures of the senate. Senate constitutions and bylaws should not be capriciously changed to solve singular issues. Revisions of senate constitutions and bylaws should be driven by significant organizational change, recognition that over time the operations of the senate might have evolved to ensure compliance, or response to new situations

The Academic Senate website offers several examples of both constitutions and bylaws that local senates can use to develop or revise their own documents. [For samples of senate constitutions and bylaws see the [Senate Constitution and Bylaw Codex](#) (ASCCC, 2014).]

### **Goal Setting, Status Reports, and Annual Reports**

Many local senates determine annual goals, building upon the previous years’ achievements as well as residual tasks yet to be completed. If a senate has not considered developing a work-plan for the year, a good place to begin is with an examination of senate responsibilities as detailed in statute and policy.

Once the senate—or its officers, depending upon the senate’s bylaws—has articulated and publicized its goals, the senate may want to examine its progress periodically and produce a year-end report that can be shared with all faculty as well as with other governance groups and the local board. This annual report, such as the one shown in the [Sample Senate Annual Report](#) document, may include any recommendations for the coming year. The annual report can also provide the foundation for subsequent senates and their officers and permits them to set priorities that are proactive rather than reactive.

## **Compliance with the Open Meeting Acts**

*The people of this State do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created. (Government Code § 54950)*

One of the obligations local senate presidents encounter with some trepidation is following the requirements of the Open Meetings Act ([Government Code 54950-54960.5](#)), also called the *Ralph M. Brown Act*. The requirement for community college academic senates to follow the Brown Act is explicitly addressed in [California Attorney General Opinion 83-304, dated July 28, 1983](#)

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 senate and thus local senates are subordinate creations of local boards of trustees.

Due to the interpretation of the California Attorney General’s Office, local academic senates must follow the requirements of the *Ralph M. Brown Act*. Local senates should consult with their college or district legal counsel for advice on interpreting how the Brown Act may apply to the specifics of how their senates and committees operate. The information provided below is taken directly from the language of the statute and is provided for information purposes only; it does not constitute legal advice.

- Senates must “report any action taken and the vote or abstention on that action of each member present for the action.” ([Government Code §54953](#))
- Senates may not hold secret votes. This includes voting for officers within the senate. ([Government Code §54953](#))
- If a senate meeting is held via teleconferencing, all votes taken must be by roll call. ([Government Code §54953.b.2.](#))
- Unless the senate is conferring with legal counsel, it may not go into closed session ([Government Code §54954.5.a to k](#))
- Senates must provide the opportunity for members of the public to directly address the senate. The senate may set reasonable limits on public comment. (See the code for specifics). ([Government Code §54954.3](#))
- Senate agendas must be physically posted 72 hours before a regular meeting in a “location that is freely accessible to members of the public and on the local agency’s Internet Web site, if the local agency has one.” ([Government Code §54954.2.a.1](#))

For more information on the Open Meeting requirements for academic senates, see the following resources:

- The full-text of [the Brown Act](#) (Ralph M. Brown Act, 2014)
- [Herding Cats: Local Senates & the Brown Act](#) (Mahon & North, 2009)
- [Brown Act and Compliance](#) (Braden & North, 2014)

## Setting and Posting Agendas

While the Open Meetings Acts outline the legal responsibilities for posting of an agenda, they do not fully spell out acceptable or pragmatic suggestions for setting and subsequently posting agendas for meetings of the local senate or its standing committees. Generally, the president meets with officers prior to the 72 hour deadline for posting of the agenda; at that time, the officers can identify carry-over items, new business, needed reports, and other matters of business called for by faculty or even administrators who have asked to have an item placed upon the agenda. While the determination of the agenda is conventionally the prerogative of the president alone, consultation with other officers is helpful. Moreover, to encourage faculty deliberation of academic and professional matters and to ensure the effective participation of other governance groups as required by law, the local senate should extend an open, standing invitation to the college community to

present items to be considered for placement on an agenda. Some local senates hold regular Executive Council or Cabinet meetings between senate meetings to plan their agendas for the forthcoming weeks and to take up urgent matters. Such meetings provide a convenient deadline for the submission of items to be considered at future meetings.

District senates face the same obligations—and strategic dilemma—that college senates do. Agendas are generally distributed to the local senate presidents and committee chairs (e.g., curriculum, accreditation, faculty development) on each campus; the obligations of additional posting then fall to the local senates. Electronic posting of agendas makes it possible to email them to all faculty, depending upon local choice or need.

### **The Order of Business**

The order of business of a senate meeting may well already be spelled out in local senate bylaws, or a senate may use the standard order of business recommended under the parliamentary procedures outlined in Roberts Rules of Order. A senate meeting can be organized in many ways; some common elements include the following:

- Call to Order
- Public Comment
- Record of the Previous Meeting
- Agenda of the Current Meeting
- Consent Calendar
- Reports of Standing Committees
- Reports of Special Committees
- Special Orders
- Unfinished Business
- New Business
- President's Report
- Announcements and Open Forum
- Adjournment

The Relations with Local Senates Committee has compiled a document with examples of different senate agendas [Sample Agendas](https://asccc.org/communities/local-senates/leadership-resources) (asccc.org/communities/local-senates/leadership-resources).

## **Public Comments at Meetings**

A significant feature of an academic senate agenda is the placement of public comment, a requirement of the Open Meetings Acts. The laws permit the body to determine the placement and manner of public comment; in other words, the local senate can determine for itself the length of time allotted to each speaker, as well as the placement on the agenda when non-senate members can address the body both on matters on the agenda and on matters of a more general nature. A “Public Comment” item at the beginning of a meeting is generally intended to elicit comments on matters on the agenda for the current meeting, while an “Open Forum” section near the end of the agenda permits visitors—and senators—to bring to the floor matters not currently on the agenda, though action may not be taken on such items. Again, the law permits the senate to establish time limits. Significantly, however, the law is explicit in its insistence that speakers do not need to sign “permission to speak” slips or in other ways provide identifying information about themselves other than on the most voluntary basis.

In weighing the options a senate has regarding public comment, a senate president might consider these strategies adopted by local senates throughout the state:

- Permit non-senators—including faculty, students, administrators, or other interested parties—to address the body on agenda items only at the beginning or the end of the meeting. This practice is more convenient for non-senators who may have difficulty remaining through the entire meeting until the agenda item of interest to them comes up. However, if this practice is employed, earlier comments will not be as fresh when the item comes up for discussion later in the agenda, commentators lose the opportunity to hear and participate in the more full debate on the issue, and speakers may be rushed or discouraged from participation when public comments are placed at the end of the agenda.
- Permit non-senators—including faculty, students, administrators, or other interested parties—to address the body on agenda items as those items appear on the agenda. Again, even under this arrangement, various options exist: non-senators may be allowed to speak before the senators, during the debate, or only at the end of the discussion prior to any vote taken.

- ♦ In the first arrangement, non-senate participants who speak before the senators begin their debate enable the senators to be fully informed about the views of others and to respond to their comments or questions.
  - ♦ If allowed to participate in the debate itself, outside voices can raise pertinent questions and provide points of information or clarification. However, their voices may receive undue weight and extend their participation beyond any established time period generally allotted for public comment.
  - ♦ If non-senate participants are asked to withhold their comments until the senate has conducted its debate, important observations may not be shared or may not subsequently be subject to refutation or rebuttal by the senate.
- Permit non-senators—including faculty, students, administrators, or other interested parties—to address the body on matters of interest not on the agenda at the end of the meeting or in writing.
  - Create and use consultation forms to be circulated among other governance groups to afford them due opportunity to review and comment and to provide written or oral testimony at senate meetings if necessary. Sample forms are available in the document [Samples of Decision Review Sign-off Sheets](#) (ASCCC, 2014).
  - Create combinations of these strategies to reflect the college culture while ensuring broad and effective participation.

## Posting Agendas

Senate agendas must be physically posted 72 hours before a regular meeting in a “location that is freely accessible to members of the public and on the local agency’s Internet Web site, if the local agency has one” ([Government Code §54954.2.a.1](#)). A local senate must identify the means and location of posting to enable interested parties to attend the meeting or to communicate with their elected representatives prior to the scheduled meeting. This obligation is even more critical for colleges with affiliated centers or for district senates having multiple colleges with whom they must communicate. The following do not meet the requirements of the Brown Act:

- Bulletin boards in offices or other areas inaccessible to the general public 24 hours per day;



- Affixed to interior windows or behind other barriers that do not permit viewing of the full document;
- Agenda being obscured by other documents or postings.

In addition to the legally required physical posting of agendas in a “freely accessible location” and on the senate’s website if the senate has one, some additional strategies for increasing the awareness of the work of the senate include the following:

- A bulletin board near the local senate office or in an administrative area or other boards accessible and available to the college community, perhaps at several locations on a larger campus.
- An email posting to the entire college faculty, staff, and student government.
- A website posting on the local senate website, in a form that can be easily downloaded or reproduced.
- A combination of these methods.

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## Effective Structures for Conducting Senate Meetings

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### **Standing Rules**

Local senate presidents, usually in conjunction with other officers, may generate local senate standing rules. Generally, the body need not adopt these rules, but an effective practice is to discuss the rules before implementing them. Standing rules cannot circumvent or supersede law, local policies, or bylaws; they can, however, enable the senate to prescribe implementation strategies, such as who speaks, in what order, for how long, under what conditions, how agenda items may be submitted, and by when. Standing rules can also stipulate deadlines for materials submitted for senate consideration or for the senate president’s signature.

### **About Parliamentary Procedures**

Having established and posted an agenda, a senate president may benefit from reviewing the use of parliamentary procedures. In their excellent reference work, *The Practical Guide to Parliamentary Procedure* (1983), Edward S. Strotherland and David W. Shepard point to four essential benefits offered by parliamentary procedure. They argue that parliamentary procedure is

- An orderly way to conduct the affairs of an organization;
- A way to determine the will of the majority;
- A way to protect the minority; and
- A way to protect the rights of an individual member.

Some groups, particularly smaller committees, avoid using parliamentary procedure because of the misperception that it will inhibit their business. Such is not the case; in fact, parliamentary procedure generally helps to move business, particularly if the senate president or committee chair assists the group participants in remembering these simple guidelines:

**ASSIGN A PARLIAMENTARIAN:** The senate president can assign the role of parliamentarian to a senate officer for orderly and effective discussion following local senate adopted parliamentary rules.

**LISTEN CAREFULLY:** The senate president or chair will clarify what ideas or motions are under consideration and declare what sorts of comments are germane to a particular motion.

**ASK QUESTIONS:** The Academic Senate, at its plenary meetings, provides a parliamentary mic at which observers may ask the presiding officer for procedural clarifications, such as what sort of motion is relevant to the discussion, how to properly accomplish a desired goal, or how to challenge a ruling or determination. Participants at a senate meeting should be encouraged to seek such clarification, and if an avenue for such questions is not provided by the bylaws, the senate parliamentarian might make clear to those attending how to ask questions during discussion of business.

**SPEAK TO THE POINT:** The senate president or chair will ensure that remarks apply to the specific motion on the floor or, if not, are ruled out of order.

Below is a brief illustration of how commonly used parliamentary motions may be responded to within a senate. The [Leadership Resources](#) page of the ASCCC website offers additional helpful information from the Academic Senate's official parliamentarian about conducting the meeting under parliamentary procedures.

## Diagram of Parliamentary Motions in order of Precedence

Privileged Motions	Fix time to adjourn; Take Recess; Question of Privilege; Call for Orders of the Day										
Incidental Motions	<p><b>Appeal</b></p> <table border="0"> <tr> <td>Division of Assembly</td> <td>Point of Information</td> </tr> <tr> <td>Division of a Question</td> <td>Point of Order</td> </tr> <tr> <td>Billing Blanks</td> <td>Read Papers</td> </tr> <tr> <td>Objection*</td> <td>Suspend the Rules*</td> </tr> <tr> <td>Parliamentary Inquiry</td> <td>Withdraw a Motion</td> </tr> </table>	Division of Assembly	Point of Information	Division of a Question	Point of Order	Billing Blanks	Read Papers	Objection*	Suspend the Rules*	Parliamentary Inquiry	Withdraw a Motion
Division of Assembly	Point of Information										
Division of a Question	Point of Order										
Billing Blanks	Read Papers										
Objection*	Suspend the Rules*										
Parliamentary Inquiry	Withdraw a Motion										
Subsidiary Motions	<p>Lay on the Table          Call for previous Question (Closes Debate)*          Limit or Extend Debate*  <b>Postpone to a Definite time</b>  <b>Refer to a Committee</b>  <b>Amend the Amendment</b>  <b>Amendment</b>  <b>Postpone Indefinitely</b>  <b>Main or Principal Motion</b></p>										
	<p><b>Miscellaneous Motions After Action taken on Main or Principal Motion</b>          Rescind (debatable)**          Remove from Table (not debatable)  <b>Reconsider</b> (may only be made by member of prevailing side)          Ratify</p>										

**Bold** – Debatable Motions

Small Type – Undeatable Motions

Motions requiring a 2/3 vote

\*\* Requires a 2/3 vote without notice and majority vote with notice

THESE MOTIONS HAVE NO RANK OR PRECEDENCE AMONG THEMSELVES

## **A Strategy for Conducting Discussions of Agenda Items**

To expedite discussions during senate meetings, the senate may wish to consider Standing Rules to provide order while ensuring that effective participation occurs. The senate may determine time limits and establish who may speak and under what conditions. The Academic Senate, at its plenary sessions, requires members wishing to speak to an item to queue before a “pro” microphone on one side of the room or at a “con” microphone on the opposite side or to ask questions about parliamentary procedure at a “parliamentary” microphone located mid-room. This procedure provides for an orderly discussion of the issues within the allotted time, enables the president to terminate discussion when no one appears to speak further in support or in opposition. This practice generally reduces redundant comments.

## **Strategies for Voting on Agenda Items**

Procedures for voting during a meeting should be determined locally, particularly if the goal is to keep the meetings progressing in an orderly fashion.

Some items on an agenda may be handled by what is known as approval by consent. If no opposition is perceived or expected to items such as approval of the minutes of the previous meeting, approval of the agenda, and acceptance of reports from various committees that do not require action by the senate, the president may list them on the agenda under the “consent calendar” and declare them passed by general consent after allowing an opportunity for opposition to be expressed. Should any senator wish to discuss, amend, or vote on such items, the party should ask to have the item removed from the consent calendar for separate consideration after the bulk of the consent items has been approved. The senate president should always honor such a request to have an item removed.

Senates **may not** hold secret votes, including voting for officers within the senate ([Government Code §54953.c.](#)), and therefore voting on action items must take place publicly. If a senate meeting is held via teleconferencing, all votes taken must be by roll call. ([Government Code §54953.b.2.](#)) Senates must “report any action taken and the vote or abstention on that action of each member present for the action” ([Government Code §54953](#)). The voting must be public, and therefore voting by email is not allowed. The Brown Act does not specify how legislative bodies must conduct their votes with the exception of teleconferencing; it only specifies that the results

of the vote of each member must be reported. Voice votes are sufficient if the individual votes of each member can be determined and recorded.

Balloting for officers, candidates for committee seats, or other appointments, especially if the vote involves competition, is slightly more difficult within the context of the law. If the senate members are the electorate, then the vote of each member must be recorded and reported out. In colleges that have academic senates of the whole rather than representative senates, the vote of each faculty member must be recorded and reported out. If the faculty as a whole is the electorate but the senate is not a senate of the whole, then a secret ballot may be used.

In circumstances that allow secret ballots, voting may be conducted in various effective ways that protect the sanctity of the ballot box:

- A ballot for the election of a candidate is placed inside a blank envelope, which is sealed and then placed inside a second, outer envelope on which the voter—whether a senator or any faculty in a campus-wide election—has printed his or her name and affixed his or her signature.
- Course Management Systems (e.g., Moodle, Blackboard) may be set up to capture votes. Different systems have different levels of protection of the voter's identity and should be thoroughly examined before use.

Local senates should consider carefully when a balloting system is being decided upon to make certain that the system ensures one vote per voter, is secure, and is verifiable by interested parties.

Regardless of the method used for the election, results should be announced or posted, although the decision of how to publicize the outcome of elections should take into account the emotional reaction of participants in the election. An elections committee whose membership is determined well in advance of an election can help determine appropriate logistics, provide necessary security, and supervise the counting of ballots. This neutral presence ensures the integrity of the process and enables the senate president to announce the results at the same meeting or within a reasonable time if the election is being conducted on a campus-wide basis.

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## Adapting the Resolution Process for Local Use

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The Academic Senate for California Community Colleges conducts its business using the resolution process (see the *ASCCC Resolutions Handbook* (ASCCC, 2014) and recommends that local senates do likewise; many senates, however, reserve resolutions only for the most urgent of their statements and recommendations. Resolutions are designed for local senates to urge or recommend policy or action to the Board of Trustees, chancellors or college presidents, other local groups, or the Academic Senate for California Community Colleges. Resolutions differ significantly from motions made on the floor of a senate meeting. Consider the following points of contrast:

### **Motions**

- Made by elected representatives or officers
- Made orally on the floor
- May be acted upon at that time
- May be enacted by a simple majority
- Do not retain the force of the arguments made on their behalf

### **Resolutions**

- Presented by committee, senators, or officers
- Presented in writing prior to meeting as part of agenda and shared broadly with all faculty
- Often receive first reading and adopted at a subsequent meeting
- Retain the force of the argument in the “whereas” clauses of the argument
- Make clear the actions to be carried out

The suggestions below and the appendices associated with them illustrate how resolutions may become an effective implement for a local senate.

### **Writing Resolutions:**

The following is an excerpt from the ASCCC’s *Resolution Writing and General Advice* (2014):

Since the resolution process guides the work of the Academic Senate, care should be taken in developing the resolutions. The following are some guidelines for Senate resolutions, as well as recommendations for proper resolution writing.

1. **Four is the Limit:** Resolutions cannot contain more than four “whereas” or “resolved” statements (this is a requirement per the published resolutions process for session).
2. **An Introduction:** Consider using the first “whereas” as an introduction, outlining the situation in general or providing background and indicating the people or groups involved before justifying your resolutions in the other “whereas” statements.
3. **Make the Point:** Be as direct and to the point as possible. Cleverness that makes a resolution less clear will likely cause confusion and lead to the resolution being defeated, amended, or referred.
4. **Avoid Lumping:** Limit yourself to one reason in support of or in defense of your resolution per “whereas” statement. Lumping too much into one statement causes confusion and is likely to provoke calls for revision.
5. **Professionalism Preferred:** Avoid personal attacks or insults of any person or group, even subtle ones. No matter how justified the statement or how offensive the target, such attacks will almost inevitably draw opposition from some members of the voting body.
6. **Only Academic Senate Action:** Remember that resolutions can only direct the Academic Senate to take action. The Academic Senate does not have the authority to direct or require action from any other group or individual, including local senates. Resolutions can also request or recommend actions from other entities, or it can endorse or support particular positions of other entities.
7. **Reality Check:** If your resolution directs an action by the Academic Senate, be certain that the action is possible for the Academic Senate to accomplish. Specifically, remember that the Academic Senate cannot absolutely ensure or prevent the actions of any other body. Some qualifying or alternative terms, such as “work with [other body] to ensure” rather than “ensure,” or “oppose” rather than “prevent,” may help to produce a more realistic resolution.

8. **Word Choice:** Judiciously use words such as “any,” “every,” “all,” “never,” “none,” or other qualifiers that make sweeping generalizations.
9. **Models:** You may benefit from reading some past examples of resolutions for ideas about structuring and phrasing your resolution. (See <http://asccc.org/resources/resolutions> for examples from the ASCCC)
10. **Resolution Title:** Be sure that the title of the resolution accurately reflects the content of the resolution, and follows proper rules of punctuation and capitalization.
11. **Facts:** Resolutions should focus on facts rather than empty rhetoric. Resolutions should include references to specific information such as legislation, previous resolutions, papers, and the like, and should include footnotes, appendices, or links to those references for the delegates to research and make an informed vote.

(See the ASCCC guidelines on writing resolutions: *Resolution Writing and General Advice* and *Sample Resolution Form for Use by Local Senate with a Sample Resolution, Annotated* explaining what a resolution should typically contain).

### **Discussing a Resolution:**

1. For many local senates, resolutions are submitted for first readings and then for action at a following meeting, but this process may be altered by calling for a “suspension of the rules” to accommodate urgent circumstances.
2. Resolutions should receive wide distribution prior to being acted upon; additional copies of a resolution should be available at the senate meeting at which it will be discussed.
3. Resolutions should be represented as a separate agenda item under the appropriate agenda category.

### **Revising Resolutions:**

1. Resolutions may be amended for further clarification, additions, or deletions.
2. Preferably, amendments should be submitted in writing, although verbal submissions are possible depending upon the desire of the local senate and its bylaws or standing rules.



3. Resolution amendments or substitutions are considered prior to the original resolution.

### **Discussing and Adopting Resolutions**

1. Discussion on resolutions or any amendments may have a pre-set time limit.
2. Any attendee at the meeting at which the resolution is discussed should be permitted to speak regarding the resolution. See the section “Public Comments at Meetings” above.
3. The president may recognize pro and con arguments alternately. When no speaker remains on one side of the motion, debate on that question may be closed, depending on local procedure.
4. Only official senate representatives may vote. The nature of the voting itself—voice, ballot, roll-call votes—as well as determination of what constitutes a successful or a failed vote should be spelled out by the local senate bylaws. (For more on voting requirements, see “Strategies on Voting” above.)

### **Disposition of the Resolution**

1. Resolutions should be forwarded to the appropriate parties by the local senate president or designee with an expectation of a written reply that can be shared with the voting body.
2. The official record of the senate meeting should indicate the status of the resolution, and, if required by bylaws or constitution, the nature of voting itself.
3. Compilations of resolutions adopted by the local senate can be submitted as part of a year-end report and widely disseminated among governance groups as the senate’s statement of accomplishment as well as evidence of the senate’s philosophy. (See [Sample Senate Annual Report](#).)
4. All resolutions, including their justifying “whereas” clauses, should be archived, perhaps in a single binder or file, as well as included as attachments to minutes and within related topic files.

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## Keeping the Faculty Informed

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An informed faculty is more likely to become involved in the work of the academic senate. The electronic convenience of email and the limitless possibilities of the internet enhance face-to-face communication and can increase faculty participation within the college community. Many of the suggestions below encourage use of these electronic opportunities, often in tandem with more traditional means of communication.

### **Develop a Governance Handbook**

The handbook should include governance committee memberships, policies, and committee responsibilities. The policies and procedures in such a handbook will be somewhat dynamic and subject to formal alteration after appropriate consultation. However, a historical record and explanation of how and why processes occur will persist beyond changes in personnel and the inevitable erosion of institutional memory. The creation of such a handbook is even more crucial if the institution currently enjoys a healthy climate of participatory governance: the whims of one individual can change that atmosphere overnight. Having such a published governance handbook will provide clear evidence of past practice and consensus. The handbook might readily be posted on the senate's website. For examples of decision making handbooks, see the Resource Documents section at the bottom of the *ASCCC Leadership Resources* page.

### **Use the Resolution Process**

A local senate resolution process can recommend or direct a particular action and provides the rationale for that action. Include the wording of the proposed resolutions in the agenda distributed before the meeting. Distribute draft and approved resolutions in the minutes to serve as an effective educational tool. Part IV of this handbook, [Adapting the Resolution Process](#), provides additional information about the resolution process.

### **Local Senate Website**

A senate website is a valuable resource for college faculty. A senate website on the college server, with appropriate links to other college and state governance groups, is an efficient mechanism to publicize meetings and showcase the accomplish-

ments of the senate. The Academic Senate website provides a template that senates may use to build their local website. To aid the college community in building and using websites, senates may wish to approach their college public information officer for electronic photographs of the college or college events that can be electronically archived and made accessible for use by the senate and its faculty. While the senate website can be maintained by staff assigned to the senate, local senates without such support can create a senate officer position for this important communication function, can seek a stipend for a faculty member to do so, or can offer flex credit or other incentives to ensure that the necessary postings are timely and complete.

Senators and other faculty should be encouraged to use the state Academic Senate website as a means for keeping informed about state issues. The objective is to make senate business and faculty involvement in college and system-wide governance a very public and notable enterprise.

### **Publicize Senate Meetings**

Inform the faculty about each upcoming senate meeting. Notice should be published a reasonable amount of time ahead of the meeting or within the time frame required by the Open Meetings Act. An effective practice is to then send a reminder 24 hours prior to the meeting time. Voice mail messages or email messages are an excellent way to remind faculty, saving paper and avoiding the notice getting lost in the paper crush. A posted notice of the meeting located by faculty mailboxes will also serve as a last-minute reminder. These notices, also posted on the senate website, are important whether the college is small, where the questionable assumption is that all faculty already know the dates and agenda matters, or large, where communication is more difficult and faculty are more likely to feel disinterest or disengagement from governance work.

### **Publicize the Names of Senate Representatives**

If all faculty know the names of their senate representatives, they will have increased opportunity for communication and involvement. Publish a roster of senators, senate officers and senate-appointed faculty members of college and district committees and include college phone numbers or email so that all faculty members may contact them for more information or to contribute to ongoing discus-

sions. This roster can easily be included as part of the senate website, perhaps with convenient email links.

### **Publish Senate Agendas and Minutes**

Publishing the agenda of each senate meeting and making them available to faculty in advance of the meeting can generate interest in the issues and increase attendance. The agenda should provide readers sufficient information on the items to be discussed. If large agendas are sent to representative senators, send a one-page agenda with short, informative paragraphs on the issues to be discussed to each faculty member. Equally effective is an email message sent to all faculty and college staff. If these messages contain links to the agenda posted on the website, all may have immediate access to the information and may respond or download it as needed. Once approved by the senate, minutes should be widely distributed.

### **Develop a Senate Events Calendar**

At the beginning of each year or semester, publish a calendar of all meetings and activities with times, dates, and locations and place it on the senate website for ease in accessibility. Regular meeting times lend a predictability that makes it easier for faculty to attend and participate.

### **Use College Email**

Email can be an effective tool for communicating issues and soliciting input on senate concerns. With the deluge of email that everyone receives, the messages of the senate may get lost. The following strategies may help to maximize the effectiveness of email for the senate:

- Ensure that all faculty, full – and part-time, have access to email and are included in messages coming from the senate.
- Create a campus-wide mail list containing only faculty so that messages from the senate can be addressed directly to faculty.
- Be judicious in sending out email messages so that the senate is not perceived as contributing to information overload, which may result in messages being ignored.

## **Maintain Senate Bulletin Boards—Electronic and Physical**

The senate website might also offer an electronic bulletin board where faculty may post comments pertinent to senate deliberations or announcements of interest to the general college community. In addition to a senate website, a conveniently located bulletin board in each division or area is another good way to publicize senate events and issues. The bulletin board is an effective place to post copies of state correspondence and reports, senate agendas and minutes, and grant and conference opportunities. The senate will want to publish committee reports to keep faculty informed of the governance efforts that are taking place in senate, campus, and district committees.

## **Create a Senate Logo and Letterhead**

Use a senate letterhead and perhaps a specific paper color for correspondence. These techniques readily identify senate information and communication among numerous documents in college mailboxes.

## **Publish a Newsletter**

A regular senate newsletter can include summaries of meetings of the senate, the governing board, and the college council, photographs of senators and senate activities, department and individual faculty news, a forum for editorials, announcements of grants, workshops or other opportunities, statewide updates and opportunities (e.g., ASCCC Awards and opportunities to serve on a statewide committee), and information on senate issues and concerns. This newsletter can also be electronic in its format to save printing and publication costs.

## **Write a Column for the College Newspaper**

A regular senate column in the college newspaper will communicate the responsibilities, views, and activities of the senate to the entire college and illustrate for students the vital roles their faculty assume on their behalf. Smaller community newspapers may also consider running a weekly or monthly column featuring the activities of college faculty.

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## Faculty Participation

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### **Soliciting Faculty Participation**

Soliciting participation will be an easier task with an informed faculty that realizes the need for and value of participation. However, some recruiting efforts are still needed to achieve the desired level of broad-based participation. Leaders' mettle is evidenced by their ability to include and accommodate those with alternative views and approaches, by their ability to showcase the talents of others, and by their ability to elicit constructive contributions from many. Below are some techniques recommended by other senate leaders for soliciting wider faculty participation. For each point, senate presidents and senates should consider how they might apply these suggestions to address the needs of full – and part-time colleagues across the campus and how they might use appropriate technology effectively for these ends.

### **Recruit Part-time Faculty**

The senate president may wish to explicitly recruit for service part-time faculty whose teaching experience, professional training, and sense of commitment to students may be highlighted in the academic and professional work part – and full-time faculty share. Many local senates have devised strategies to increase the participation of their part-time faculty, and the sample constitutions and bylaws available on the Leadership page of the Academic Senate website indicate how those senates formally give voice to their part-time colleagues. The Academic Senate has also adopted many resolutions urging local senates to consider ways to involve part-time faculty in our academic and professional work.

### **Meet Personally With the Faculty**

The personal touch is the most effective means of communicating, particularly when making a request. Some senate leaders set the goal of visiting several faculty members each week. People need to be asked to participate and should be acknowledged when they do serve.

### **Listen to Opinions**

The individual interests and skills of faculty members will be revealed in their comments, and these faculty members who speak out can be a valuable source of exper-

tise for senate activities. Electronic bulletin boards, for example, can ensure that all voices are afforded an opportunity to be heard and their views responded to by an even broader constituency.

### **Conduct Faculty Opinion Polls**

Formal or informal opinion polls allow faculty members to indicate their opinions on issues. Polls can be used to identify faculty concerns, establish senate priorities, and develop senate positions. While the senate will want to be careful not to include collective bargaining issues in senate polls, the senate may wish to collaborate with the bargaining agent as, in response to labor law, it seeks the local senate advice about issues the senate wishes to see addressed prior to entering into negotiations. Polling results should also be communicated to the faculty so that they are included in the entire process.

### **Turn the Suggestion Box into a Volunteer Recruiting Center**

Faculty leaders frequently hear suggestions and complaints from colleagues on a variety of issues. Faculty members who care enough to talk about their concerns can also be the faculty members who are willing to develop a solution to the issue raised. A volunteer can be recruited with a simple comment such as this: “Thanks for bringing your concern to my attention. Could you get two other faculty members to work with you and present a resolution at the next senate meeting?” The faculty member is thereby encouraged to become involved, and valuable contributions may emerge. Comments that are ignored may breed ill will that is difficult to overcome.

### **Provide an Orientation for New Faculty**

Too frequently, faculty orientation is seen as an administrative function with the senate being given five minutes to present an overview of its role. However, orientation to the academic and professional obligations—both as they apply to the larger profession and to the specific college culture—are generally more appropriately conducted by the faculty themselves. [Title 5](#) specifically notes that the academic senate shall be responsible for “policies for professional development.” If a senate has not reached a formal agreement, and particularly if it is excluded from such orientations, the senate president should ask to consult collegially on a process for this important orientation and professional development function.

Several faculty orientation models are used on campuses throughout California:

1. Arrange for an orientation session, or several brief orientation sessions, for new faculty members on an individual or small group basis. In the session, senators can encourage involvement and provide basic introductory information about the work of the senate and faculty within the larger governance structure. Past senate leaders and college administrators can be invited to present their perspectives.
2. Consider a semester-long or yearlong orientation process that may be awarded flex credit, committee assignment-status, or reassigned time. Meeting regularly with faculty members of a senate committee, the faculty new to full-time status at the college can discuss the campus' educational climate and educational philosophy, the general education model, the academic and professional roles of faculty, the governance structure, and the student and instructional support services available to them and their students.
3. Build into the probationary period opportunities for new faculty to have appropriate and meaningful participation in senate activities, including the orientation of new faculty in subsequent years.

Any such orientation program should also be open to part-time faculty, who need to understand shared professional responsibilities and the options they have to become more involved in the on-going governance work of faculty.

### **Create a Faculty Governance Flex Activity**

Flex activities can be an effective way to highlight specific faculty governance issues and other local senate activities. For example, the senate could sponsor a forum composed of senate leaders and administrators where faculty can ask tough questions and the presenters can explain the role of the senate and senate committees. The senate might survey the faculty to find topics or speakers of interest to them for such presentations.

### **Hold a Senate Retreat**

Setting aside a day or two for a senate retreat is a good way to gain perspective about issues, share information and ideas, and set priorities for the year as well as



train senators and generate enthusiasm for the work of the senate. If faculty members who are not senators are included, new people who might become valuable resources can be introduced to senate activities.

### **Make Committee Opportunities Known**

Publicize a general request for volunteers, and, at the same time, ask individuals to volunteer for specific senate-appointed committee assignments. A variety of involvement opportunities, some with short-term responsibilities, will allow faculty members to match their interests and time commitments with senate needs. Invite volunteers and committee applicants to ensure broad representation and a plurality of views. Review the opportunities afforded to part-time faculty as well, including appointments on college and district committees; part-time faculty across the state serve on faculty development, part-time hiring, and curriculum committees, among others.

### **Invite State Academic Senate Representatives to Speak to Faculty**

Senate presidents may extend invitations to Academic Senate Area Representatives, to members of the Relations with Local Senates Committee, and to other members of the Executive Committee of the Academic Senate for California Community Colleges to visit their campus, address specific needs, or bolster faculty enthusiasm for governance work. For more information see *Requesting a Local Visit* section of the ASCCC website.

### **Take Faculty to Academic Senate Sessions and Leadership Training**

The annual fall and spring plenary sessions, Area meetings, the Professional Development College, and the summer Faculty Leadership and Curriculum Institutes of the Academic Senate are all excellent opportunities to involve and train faculty. Campus staff development funds should be available for this purpose; most college presidents and chancellors understand the need for well-trained faculty leaders and can help identify appropriate local funds to enable a senate's full participation in these essential training opportunities.

## **Maintaining Faculty Participation**

Once faculty members have become active, senate leaders need to reward and nurture that participation to enhance faculty's commitment to and enjoyment of senate and governance involvement.<sup>10</sup>

One of the major hurdles senate leaders face, regardless of their time on the senate, is finding faculty to participate in committee work. Unless the committee's work directly impacts a faculty member, such as a hiring committee, or he or she is compensated, some faculty would much prefer to just teach and mentor students, while avoiding committee service. Senate leaders need to develop strategies to engage faculty so that they want to serve on committees, especially in cases where committee service is not a contractual obligation. Below are suggestions, compiled from senate leaders at breakouts at both the Spring 2011 Plenary Session and the 2011 Leadership Institute, that have assisted senate leaders in increasing faculty participation.

### **Use a Personal Approach**

Something as simple as a phone call, rather than a mass email, may make the difference when persuading a faculty member to participate. A particularly effective tool is a face-to-face meeting over coffee about what the committee does and why the senate is asking that faculty member to become involved.

### **Clearly Define Commitments Ahead of Time**

When senates are recruiting volunteers for committee work, the more information that can be provided, the more likely the senate will be to find someone who is willing and able to serve. Providing information including the time and dates of the meetings, expected length of the term of service, and work outside of the meetings can be very effective for recruiting faculty to serve on a particular committee.

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<sup>10</sup> Section adapted from: Davison, D. & Bruno, J. (2011) Participate! How to get faculty engaged and involved. *ASCCC Rostrum*, Retrieved <http://asccc.org/content/participate-how-get-faculty-engaged-and-involved>

## **Play to Their Strengths**

For committees that serve a particular population or a very narrow purpose, recruiting people who can approach the committee with knowledge or experience regarding the topic can be very helpful. The more the senate president knows about how a committee operates, the better he or she can recruit for that committee.

Recruiting faculty is far easier when a senate president knows what the committee does and what its goals are for the next year. Senates should also attempt to avoid having personalities that conflict among the committee members; asking someone to serve on a committee with an individual with whom that faculty member has a conflict or negative history could be a recipe for disaster.

## **Use Senators**

At colleges with smaller numbers of full-time faculty, the senate president may know most, if not all, of faculty; such familiarity with all faculty becomes much more difficult at larger colleges. Senators probably know most of their colleagues within their divisions and will be able to suggest faculty for service. They also may know part-time faculty who are interested in serving and can bring those individuals to the senate president's attention if part-time membership is usual within the local college culture and appropriate for the particular committee. Faculty who teach at multiple schools bring an additional knowledge and new perspectives to committee work. For more information on part-time faculty participation see the ASCCC paper *Part-Time Faculty: A Principled Perspective* (ASCCC, 2002).

## **Show Appreciation**

One of the most important things that a senate president can do is to thank committee members during and at the end of the year. Whether the recognition involves a note, an email, cookies at the last meeting, or acknowledgement in a public forum, letting those faculty know that the senate is grateful for their service is an effective way to encourage those faculty to return the following year to seek other committee opportunities.

## **Develop Professional Recognition of Faculty**

Publicly recognizing the achievements of faculty is an important and effective element of building morale in any organization. The senate president may use memos,

college and local newspaper articles, award ceremonies, and Board and Foundation presentations to highlight faculty accomplishments.

### **Give Credit Where Credit Is Due**

A genuine “thank you” is very helpful in acknowledging faculty members who work on senate and participatory governance assignments. Senate presidents may wish to print the senate logo on thank you cards and send a note to faculty members and other college staff who have helped further the work of the college. Participation includes a host of division, area, department, and other college activities which may not be directly perceived as being the work of the local senate; however, faculty who serve on hiring committees, on college-wide and district-wide committees, or as advisors for student organizations are indeed furthering the senate obligations for effective participation in governance.

### **Make Senate Involvement an Evaluation Criterion**

Often forgotten in tenure and post-tenure evaluations is the obligatory, professional responsibility faculty have for participation in governance activities. The senate may consider consulting with the collective bargaining agent to include and use involvement in governance as a criterion in the evaluation process to reinforce the importance of this serious professional responsibility.

### **Discuss Governance Participation in the Hiring Interview**

Develop an expectation of involvement with each new faculty member by discussing it as a professional responsibility both in the hiring interview and during new faculty orientation. Suggest senate and other governance activities that the new faculty member may choose for participation.

### **Sponsor a Breakfast, Lunch, or Coffee Hour**

Food is often a successful inducement to encourage faculty to attend an event. The event can then be used to inform, engage in discussion, train, acknowledge and thank those who participate.

## **Provide Incentives for Participation**

Consult with the collective bargaining agent to develop incentives such as overload banking credit or professional growth step credits for participation in senate activities.

## **Linking Local Awards to ASCCC Statewide Awards**

The Academic Senate presents three major awards each year. Local senates are responsible for nominating worthy individuals and for preparing much of the nomination materials. Senate presidents should watch for the announcements that open the nomination period and must adhere to the rigid and often compressed timelines for submission. These awards, however, honor the faculty and colleges of all nominees for these three awards. For more information see Part V of this handbook: [Academic Senate Awards](#).

This list of ways to recruit and involve faculty is by no means exhaustive, but it can provide some guidance for encouraging faculty to become more engaged in committee service at a college and more involved in the body as a whole. Being a senate leader does not mean doing everything alone; the more that a senate president can increase participation, the more people and perspectives are present to help with decision making. A faculty with active participation by the majority of its members is key to a strong and effective senate on a campus.

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## **Resources Available in Senate Files**

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The table on the next page offers a checklist of essential materials. In the left-hand column are items that should be readily found in local senate files, while in the right-hand column are analogous materials available at the Academic Senate for California Community Colleges website.

Local senates should discuss the format in which their archives will be compiled. While some senates maintain filing cabinets full of decades worth of documents, many senates are moving to digital archives. These archives may be public with the documents all available on the senate website, semi-public with the documents available on a network drive available to the college community or only faculty, or

private with the documents available on a secure drive only to senate leadership. Regardless of the format, the senate should discuss the ways in which these materials are maintained, backed-up, and passed down.

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## KEY RESOURCES FOR SENATE OFFICERS, SENATORS, AND COMMITTEE CHAIRS

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### Local Resources

List of email and phone numbers of all senators, including home numbers, if senators are willing to share

### State-wide Resources

The Academic Senate statewide directories of the [Executive Committee](#) and Local Senate Presidents/President-elects / Vice Presidents / Curriculum Chairs

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### Local Senate Website

Constitution and By Laws  
Agendas and Minutes  
Local Senate Goals  
College Mission Statement and Goals  
Committee Assignments, Reports

### Academic Senate Website

[www.asccc.org](http://www.asccc.org)  
[Bylaws, Rules, and Policies](#)  
[List of the Academic Senate publications](#)  
[Agendas and Minutes of Executive Committee](#)  
[Committee Descriptions and Rosters](#)  
[List of Common Acronyms](#)

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### Communications

President's Reports  
Local faculty newsletters  
Copies of local reports from task forces, planning committees

### ASCCC Communications

[Papers](#) (official positions of the ASCCC)  
[Rostrum](#) (articles on issues and topical matters)  
[President's Updates](#)  
[Resolutions](#)

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**Regulations**

Governance Agreement  
Full-time Faculty Hiring Agreement  
Part-time Faculty Hiring Agreement  
Peer Evaluation Process  
Administrative Retreat Rights  
Administrative Evaluation  
FSA's  
Disciplines List  
Equivalency Determination Procedure  
Board Policies and Regulations, particularly for:  
Governance  
Program Review  
Tenure  
Curriculum Approval

**Models for:**  
Curriculum Approval  
Policy Committees and Objectives  
The Brown Act (see [Part IV.](#))  
Student Equity  
Planning and Budgeting  
Faculty Internships

**Regulations**

[Consultation Process](#)  
[Minimum Qualifications and Equivalencies](#)  
[Board of Governors](#)  
[Executive Orders of the Chancellor on Consultation](#)  
[Strengthening Senates](#)  
[Ed. Code \(See Part II.\)](#)  
[Title 5](#)

**Interpretations of Regulations**

[“Participating Effectively in District and College Governance” \(ASCCC & CCLC, 1998\).](#)

[Chancellor's Office Web Site](#)  
[www.cccco.edu](#)  
[Board of Governors](#)  
[Consultation Council agendas & minutes](#)  
[MIS data](#) (i.e., total apportionment dollars for each district)  
[Legal opinions and advisories](#)  
[Links to all the units and CO personnel](#)

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## Institutionalizing a Senate's Effectiveness: Seeking Technical Assistance to Ensure Compliance

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This document and the rich resources of the Academic Senate for California Community Colleges, including its elected Executive Committee members and the office staff as well as its institutes, events, and publications, are dedicated to ensuring the success of local senate presidents. Despite best efforts, laws and regulations concerning participatory governance occasionally need further clarification, and on

occasion a particular academic and professional issue can seriously divide faculty from administrators or trustees. Sometimes a local senate may regrettably experience serious discord with administrators or trustees concerning the appropriate roles of the faculty in governance or an interpretation of compliance issues. At other times, the college or district would profit from a workshop or presentation on a single feature of the governance process.

In such instances, the ASCCC is prepared to assist local senates, faculty, staff, students, administrators, and trustees in understanding their appropriate roles in effective participatory governance. The ASCCC partners with the Community College League of California (CCLC) to send representatives to meet with local personnel on the campus. This program, often called “technical assistance,” actually includes four types of assistance available through the collaborative efforts of these two organizations. To identify which option is best suited for the particular needs of an institution, a senate president should review the options with his or her college or district administration.

Prior to a visit being scheduled, requests must be signed by representatives of both the local senate and the college president or chancellor as appropriate, and colleges or districts must underwrite the travel costs incurred by the visiting presenters. The [ASCCC Website: Services](#) section provides more information on the variety of technical assistance offerings and concludes with a link to the [Request Services Form](#).

See [Part V](#) of this paper for more information on what the ASCCC does to help local senates.



# PART V

## LINKING LOCAL SENATES TO THE ACADEMIC SENATE FOR CALIFORNIA COMMUNITY COLLEGES

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### Functions of the Academic Senate

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IN SOME SENSES, THE STATEWIDE ACADEMIC SENATE functions in much the same way as a local academic senate. As with local district governance, the California Community College Board of Governors articulates a vision for the California Community Colleges and their mandated missions; it then establishes system-wide policies and regulations to enact that vision and respond to the legal strictures imposed by the legislature or the governor’s executive orders. The Academic Senate contributes its professional assessments and judgments and is “relied on primarily” by the Board of Governors for matters declared as academic and professional ([Title 5](#)).

The California Community Colleges’ Chancellor and staff operate under the Standing Orders of the Board of Governors that include descriptions of the consultation process. As part of that consultation process, the members of Consultation Council, much like a local chancellor’s cabinet or council, provide appropriate advice and attempt to reach consensus on issues affecting the system. As with a local senate, the representatives of the Academic Senate express the collective voice of the community college faculty to the Consultation Council on all academic and professional matters at the system-wide level; additionally, under the Board’s Standing Orders, the chancellor is compelled to seek the Academic Senate’s input on all academic and professional matters.

Also present on the Consultation Council are leaders representing FACCC, CCC/CFT, CCA/CTA CCCI, CSEA, CEOs, CIOs, CSSOs, CBOs, CHROs, CCLC, and other adminis-

trative groups.<sup>11</sup> The ASCCC is the only body with two appointments to the Council, normally filled by the ASCCC President and Vice-President. Members of the Consultation Council can submit items for consideration, discussion, or action by submitting a Consultation Digest Item. For more information on the operations of the Consultation Council, see the [Consultation Council Handbook](#), available on the State Chancellor’s website. As with consultation processes on a local college and within a district ( [Title 5 \(d\)](#)), the governing board—in this case, the Board of Governors—has specifically agreed through its Standing [Orders, Part II, Article 3, § 332](#) that the Board and its designees shall rely primarily on the Academic Senate regarding academic and professional matters.

The Academic Senate’s primary mission is to serve faculty in California’s community colleges, to “promote the best interests of higher education in the state and to represent the faculty of all California community colleges at the state level.” To do so, the Academic Senate maintains an office in Sacramento and a professional staff who coordinates its many activities and provides continuity. The resolutions adopted by the delegates to the Academic Senate’s bi-annual plenary sessions provide direction to the Academic Senate Executive Committee<sup>12</sup>, which uses those resolutions to develop priorities for the year.

The following table illustrates some of the ways in which the state Academic Senate, funded in part by annual dues from colleges around the state, currently fulfills its constitutional obligations to local senates.

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<sup>11</sup> For greater explanation of these many acronyms, consult the Academic Senate website or review its publication on acronyms, or the [Acronyms](#) document (ASCCC, 2012).

<sup>12</sup>The Academic Senate for California Community colleges incorporated as a nonprofit organization in November 1970. While revising the ASCCC Bylaws in 2014, ASCCC legal counsel advised the Executive Committee that a nonprofit corporation is required to have a Board of Directors and that an “Executive Committee” was considered to be a committee of the officers of the board. This legal requirement is reflected in the [2014 ASCCC bylaws](#); however, the operation of the four officers, four area representatives, four north and south representatives, and two at-large representatives was not changed, and the tradition of referring to them as the “Executive Committee” outside of legally required documents continues.

<b>Charge</b>	<b>Activities</b>
<b>ARTICLE II, Section 1: Aims</b>	
Represent faculty and ensure a formal, effective procedure for participating in the formation of statewide policies	Participation in Consultation Council and the Council of Faculty Organizations (CoFO) <sup>1</sup> Provide testimony before the Board of Governors and the legislature Represent faculty on the System Advisory Committee on Curriculum (SACC) and other Chancellor's Office advisory committees.
Strengthen local senates	Provide levels of Technical Assistance in partnership with CCLC; Offer professional development activities through institutes, regional meetings, or other events, as well as fall and spring plenary sessions Local senates visits and area meetings Publications and website resources Professional Development College
Develop and promote implementation of policies at statewide level	Serve on Chancellor's Office and other statewide committees, advisory councils, or task forces Makes appointment of faculty to councils, committees, and task forces established in conjunction with the consultation process to deal with academic and professional matters at the system-wide level (Board of Governors Standing Order 332) Offer informative breakouts at plenary sessions

<p>Make recommendations on statewide matters affecting CCCs</p>	<p>Publish and disseminate adopted resolutions to appropriate groups          Prepare and present digest items at Consultation Council          Participate in the preparation of the system legislative package          As appropriate, take positions on legislation and provide legislative testimony</p>
<p><b>Article II Section 2: Functions</b></p>	
<p>Assume responsibilities and perform functions delegated to it by local senates</p>	<p>Determine appropriate actions emerging from adopted resolutions          Delegate responsibilities to standing or ad hoc committees          Publish senate papers and the <i>Rostrum</i>          Report to delegates at plenary sessions</p>
<p>Provide statewide communication among local senates to coordinate actions and requests of faculty</p>	<p>Maintain the ASCCC website          Regularly publish the President's <i>Updates</i>, the <i>Rostrum</i>, and Senate-adopted papers          Provide directory of local senate presidents and other leaders          Conduct surveys on topical concerns and distribute results</p>
<p>Initiate policy positions relevant to CCC and their role in higher education</p>	<p>Participate in ICAS (Intersegmental Committee of the Academic Senates);          Contribute to intersegmental initiatives such as C-ID (Course Identification Numbering System)</p>

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## Outreach from the Academic Senate

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### **Area Divisions**

All members of the Executive Committee except the officers are elected on the basis of geographic representation. The Academic Senate currently divides the state's community colleges into four areas (A, B, C, D) (for more information see the [Area News](#) and the [Member Senates](#) document, both available on the ASCCC website). The delegates from each area elect one Area Representative who serves for two years on the Executive Committee; two At-Large representatives are elected by delegates from all four areas, as well as two North (elected by the Area A and B delegates) and two South Representatives (elected by Area C and D delegates).

### **Area Meetings**

The area representatives are responsible for coordinating two area meetings each year. At these meetings, held each fall and spring prior to the upcoming plenary session, faculty leaders, usually the delegates to the plenary session, meet at a college in their area. They discuss matters of concern to their areas, review proposed resolutions to be voted on at the plenary session, and generate additional resolutions. Each delegate represents the positions and perspectives of his or her local senate at these meetings and gathers information to take back to the local senate for direction before plenary session. Area representatives are also available to consult with or visit local senates. Requests for such visits should be forwarded through the Academic Senate Office.

### **Role of the Relations with Local Senate Committee**

The Relations with Local Senates Committee serves to augment the work of the Executive Committee in its efforts to share information on issues of concern at the local and state levels. While members of the Relations with Local Senates Committee should be conversant with pertinent statutes and strategies for effective academic senates, their work is primarily as liaisons and conduits for information and requests for assistance. To contact the [Relations with Local Senates Committee](#), visit the Academic Senate website or call the Academic Senate Office.

## Senate Institutes

The Academic Senate sponsors institutes to address faculty and local senate needs in a variety of areas (see Events listing on ASCCC homepage). Most important to local senate leaders, especially for new presidents, is the Faculty Leadership Institute held each June. The Curriculum and Accreditation Institutes are appropriate to consider sending a team of faculty, classified staff, and administrators from a college. Other institutes may focus on disciplines such as STEM, counseling, or career technical education, or issues such as general education, equity, and student success.

Local senate presidents should review the information about the planned institutes at the beginning of each academic year. Doing so well in advance will permit the senate president to

- Identify the appropriate sources of funding for faculty to travel and register.
- Encourage faculty to plan for and attend these institutes.
- Build into senate activities chances to respond to pre-and post-institute study materials and to examine the impact and implementation of strategies for new concepts and policies.
- Seek scholarships from the Academic Senate Office when appropriate.

For the most current information about institutes and to register for these significant professional development opportunities, senate presidents should visit the Academic Senate website frequently.

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## Senate Plenary Sessions

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For many years, the plenary sessions have been held alternately in the North and South of the state, on Thursday through Saturday in fall and spring. The general and breakout sessions permit local senates—their officers, curriculum chairs, and other interested faculty—to be apprised of current topics, to receive new training to bolster the effectiveness of their senate, to select the representatives and officers of the Executive Committee, to determine ASCCC positions, and to provide the Executive Committee its direction through the adoption of resolutions. Each college may appoint one voting delegate to the plenary session, and each multi-college district that has a district academic senate may also appoint one delegate. The roles of these

delegates are detailed in the document [Senate Delegates Roles and Responsibilities](#) available on the ASCCC website.

## **Resolutions**

The Academic Senate resolution process is described in detail in the [Resolutions Handbook](#) (ASCCC, 2014). In short, that resolution process works as follows:

- a. Pre-session resolutions are developed by the Executive Committee, through its committees or by individual Executive Committee members, and submitted for pre-session review at the area meetings.
- b. At the area meetings, pre-session resolutions are discussed, and new resolutions are generated.
- c. The Resolutions Committee meets to review all pre-session resolutions and combine, re-word, append, or render moot these resolutions as necessary.
- d. Delegates and representatives of the local senates meet during the session in topic breakouts and give thoughtful consideration to the need for new resolutions and amendments.
- e. After all session presentations are finished each day, delegates and representatives meet during the resolution breakouts to discuss the need for new resolutions or amendments. Each resolution or amendment must be submitted to the Resolutions Chair before the posted deadlines each day. Additional Area meetings are held on Friday morning of each plenary session for discussing and amending resolutions.
- f. The Resolutions Committee meets again to review all resolutions and amendments and to combine, re-word, append, or render moot the resolutions as necessary.
- g. The resolutions are discussed and voted upon at the general sessions on the last day of the plenary session.

Resolutions passed by the body are promptly published, disseminated, and then acted upon by the Executive Committee. They are also posted on the Senate's website.

## Local Senate's Use of Academic Senate Resolutions

Local senates can and do make substantial use of statewide resolutions to guide their own practices, to provide direction and priorities, to provide justifications and support in their discussions within their own consultation procedures, and to provide impetus for their own activities. For more information see [Resolution Guidelines for Local Senates](#).

## Disciplines List Procedure

Every two years, in accordance with Title 5 Regulations, the Academic Senate reviews the document [Minimum Qualifications for Faculty and Administrators in the California Community Colleges](#), commonly known as the Disciplines List. In February of every even year, the Senate distributes the Disciplines List Process to the field and solicits revisions, additions or modifications to the Disciplines List. Any proposed modifications are widely disseminated to professional organizations as well as faculty and administrative groups; they are also subject to hearings held at the fall and spring plenary sessions and are reviewed by the professional organizations for college administrators and bargaining agents. At the conclusion of the hearings, the body votes upon the proposed changes during its spring plenary session of each odd year.

Because the Academic Senate for California Community Colleges must consult with the discipline faculty across the state, resolutions in support of proposed changes to the disciplines list cannot be amended. The proposed changes must either be voted up or down as originally presented. Any proposed change on the consent calendar may be removed and voted on separately. To learn more about the Disciplines List Revision process see the [Disciplines List Revision Handbook](#) on the Senate website.

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## Participation on Academic Senate Committees

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The work of the Academic Senate is conducted primarily by its standing and ad hoc committees and task forces, often augmented by participants from other governance groups. The Executive Committee and its standing committees are identified in the Academic Senate Bylaws; their work is ongoing from year to year. Ad hoc committees, by contrast, are created in response to a particular issue or concern and, like task forces, generally have a sunset attached to their operation. Academic



Senate committees are chaired by members of the Executive Committee, and committee minutes regularly appear in the agendas of the Academic Senate Executive Committee and on the ASCCC website. Committee chairs can submit Executive Committee agenda items calling for action or seeking advice and consent.

As with a local academic senate, committee members and chairs representing the Academic Senate on statewide committees have a particular obligation to report regularly to the larger body—in this case, the Executive Committee. All faculty members serving on statewide committees must understand that they represent the Academic Senate and its adopted positions; they must defer from making policy decisions without first consulting with the Executive Committee through regular written reports.

A list of current Academic Senate committees can be found on the [ASCCC Senate website](#). A senate president should consider how members of their faculty or they personally might serve their colleagues throughout the state. Local senate presidents and past presidents frequently have the judiciousness and experience needed to examine academic and professional matters on a grander scale, and faculty with career and technical knowledge are needed to lend their expertise. Even faculty who feel fatigued by service at the local level can be invigorated by and can energize statewide committee membership. Faculty can indicate their interest in serving at the state level through the *Application for Statewide Service* form.

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## Nominations for Statewide Awards and Service

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### **Academic Senate Awards**

The Academic Senate presents three major awards each year—Exemplary Program, Hayward, and Stanback-Stroud. Local senates are responsible for nominating worthy candidates and for preparing the nomination materials. Starting in August, a senate president or designee should be watchful for the announcements that open the nomination period. These awards have rigid and often compressed timelines for submission. Below is a brief description of each award. More information and the application are available on the Senate website under the [Award](#) tab.

**The Exemplary Program Award** recognizes outstanding community college programs. Each year the Executive Committee of the Academic Senate selects a different theme in keeping with the award's traditions. Up to two college programs receive \$4,000 cash prizes and a plaque, and up to four colleges receive an honorable mention and a plaque. The call for nominations goes out in October with an announcement letter, application, criteria, and scoring rubric.

**The Hayward Award** recognizes faculty from the four Senate areas for commitment to education, service to students' access and success, and service to their institution through participation in professional or student activities. Each year two areas recognize part-time faculty and two areas recognize full-time faculty on an alternating basis. The call for nominations goes out in November with an announcement letter, application, criteria, and scoring rubric.

**The Regina Stanback-Stroud Award** recognizes a faculty member or a faculty group making special contributions in the area of student success for diverse students. The call for nominations goes out in December with an announcement letter, application, criteria, and scoring rubric.

### **Service to the Board of Governors**

The Board of Governors includes two faculty members, each serving a two-year term. Executive Committee members, local academic senates, or individuals may nominate appropriate candidates for consideration. As the two faculty terms are staggered, the Academic Senate seeks nominations each October. After Executive Committee interviews, successful candidates are forwarded, according to statute, to the Governor. Because of the importance of these faculty positions, the Academic Senate is best served by faculty members who have considerable statewide experience and who have demonstrated a commitment to effective participatory governance.

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## **Consultation Process**

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The voice of the local senate is expressed through the resolution process (See Part IV of this handbook: [Adapting the Resolution Process](#)) and gives direction to the Executive Committee of the Academic Senate for Community Colleges. In turn, the

collective will of the body and the voice of the California community college faculty regarding system-wide academic and professional matters is carried to the Board of Governors. In order for the local senate voice to be represented effectively, the following must occur:

- Local senates must empower their delegates to represent their concerns and will.
- Delegates must articulate that will or those concerns, using the resolution process at the plenary session to give direction to the Executive Committee.
- The Executive Committee, through its representatives to the Consultation Council and in other venues, must then carry those directives into the consultation process (See Part V of this handbook: [Functions of the Academic Senate](#) for more information).

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## Concluding Thoughts

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New local senate presidents may naturally feel somewhat overwhelmed by the requirements of the job they have undertaken. However, while serving as a president can be trying and exhausting, it can also be very rewarding and even at times enjoyable. To help them to do their jobs more effectively, senate presidents may use this handbook to remind themselves of new leadership opportunities and to help find answers to the inevitable questions that they will face. Most of all, senate presidents should enjoy the leadership moment they are in and know that the Academic Senate for California Community Colleges and its resources are available to empower local leaders and senates. New senate presidents may even look forward to the moment when they become past presidents and sage advisors to their senates and to the time when their continued service statewide acknowledges them as the experts they have become.

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