

# Board Policies and Administrative Procedures; Development, Review, and Update

AP 2410

Reference: Education Code Section 70902; Accreditation Standard IV.B.1.b & e;  
Board Policy 2305

1. Definition
  - a. Board policies are legally binding to the District.
  - b. Administrative procedures implement Board policies, State or Federal laws, or other regulations. They are developed and implemented by the Superintendent/President or administrative designee, the Academic Senate, and/or staff. Administrative procedures do not require Board action but are presented as information items to the Board of Trustees before being implemented by the District.
2. Recommendations for new Board policies or updates to current Board policies may originate from any source: the Board of Trustees, Associated Students of Cuesta College, the Academic Senate, classified staff, administrators, members of institutional committees, or any other citizens of the District.
3. Recommendations shall be presented to the Board of Trustees using the standard procedure explained in the policy herein.
4. Consultation with appropriate college constituent groups will occur as per Board Policy 2510, Minimum Standards for Faculty, Staff, and Student Participation in College Governance.
5. Updates - Review. Upon receipt of a biannual update from the CCLC, the Superintendent/President or designee will screen and distribute the update to the appropriate department/division for action. Distribution of chapters will be made based on the following:
  - a. Chapter One – District [currently *Board of Trustees*] (1000): Superintendent/President; Executive Assistant to the President / Board of Trustees; copy to Academic Senate.
  - b. Chapter Two – Board of Trustees [currently *Administration*] (2000): Superintendent/President; Board of Trustees; Executive Assistant to the President / Board of Trustees; Assistant Superintendents/Vice Presidents; copy to Academic Senate.

- c. Chapter Three – General Institution [currently *Certificated Personnel*] (3000): Executive Assistant to the President / Board of Trustees; Assistant Superintendent / Vice President Administrative Services; Assistant Superintendent / Vice President Student Services; and the Academic Senate.
  - d. Chapter Four – Academic Affairs [currently *Classified Personnel*] (4000): Assistant Superintendent / Vice President Academic Affairs; and Academic Senate.
  - e. Chapter Five – Student Affairs [currently *Educational Programs*] (5000): Assistant Superintendent / Vice President of Student Services; Academic Senate; and/or Associated Students of Cuesta College (ASCC).
  - f. Chapter Six – Business and Fiscal Affairs [currently *Student Services*] (6000): Assistant Superintendent / Vice President Student Services; and Academic Senate
  - g. Chapter Seven – Human Resources/Personnel [currently *Business Services*] (7000): Executive Director Human Resources and Labor Relations; Vice President Administrative Services; and Academic Senate
  - h. Complete Update: Board of Trustees—presented on the agenda as an information item.
6. The designated department, division, or constituent group will have a minimum of 30 days and no more than 60 days to review any Board policy updates and submit a proposal to the Superintendent/President as prescribed below.
7. Board Policy Proposal Process and Responsibilities.
- a. Attachment A illustrates the Process for the Review, Creation, and/or Updating of Board Policies & Administrative Procedures.
  - b. Proposals for new Board policies or changes/updates to existing Board policies will be shared collegially with the Academic Senate President to determine whether the proposal is an "*academic and professional matter*."
  - c. Title 5 § 53200 defines the 10+1 "*academic and professional matters*" in the purview of the Academic Senate as the following policy development and implementation matters:
    - 1) Curriculum, including prerequisites;
    - 2) Degree and certificate requirements;
    - 3) Grading policies;

- 4) Standards regarding student preparation and success;
  - 5) College governance structures, as related to faculty roles;
  - 6) Faculty roles and involvement in accreditation processes;
  - 7) Policies for faculty professional development;
  - 8) Educational program development;
  - 9) Processes for institutional planning and budget development;
  - 10) Processes for program review;
  - 11) Policies regarding student preparation and success; and
  - 12) Other academic and professional matters as mutually agreed
- d. Ed Code also defines the purview of the Academic Senate in the following academic and professional areas:
- 1) Curriculum and academic standards;
  - 2) Equivalency;
  - 3) Faculty Hiring Criteria;
  - 4) Administrative Retreat Rights;
  - 5) Tenure Evaluation Procedures;
  - 6) Faculty Evaluation Procedures; and
  - 7) Faculty Service Areas
- e. The district governing board shall develop policies on these academic and professional matters through either or both of the following methods, according to the areas established in BP 2305:
- 1) rely primarily upon the advice and judgment of the academic senate; or
  - 2) agreeing that the district governing board, or such representatives as it may designate, and the representatives of the of the academic senate shall have the obligation to reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.
- f. When a proposed Board policy and/or administrative procedure is determined by Academic Senate leadership to be focused on an *academic and professional matter* or area in the purview of the Academic Senate:

- 1) The Academic Senate will have a minimum of 30 days and no more than 3 months (90 days) to review, update, and/or create the Board policy and/or administrative procedure for College consideration. Considerations must be made based on Title 5, applicable state regulations, and feedback from the groups listed below in 7.f.2.
- 2) The Academic Senate leadership will consult with institutional planning committees, the Superintendent/President, Cuesta College Federation of Teachers (CCFT), Cuesta College Classified United Employees (CCCUE), and/or Associated Students of Cuesta College (ASCC) as appropriate for feedback on the proposed Board policy and/or administrative procedure:
  - i. The Senate leadership will consult with the Superintendent/President or designee(s) for the development or updating of Board policies and/or administrative procedures that are focused on the mutual agreement academic and professional matters identified in BP 2305.
  - ii. The Senate leadership will consult with all institutional planning committees or constituent groups who will be affected by the Board policy and/or administrative procedure.
  - iii. The Senate leadership will consult with the Executive Board of CCFT and/or CCCUE regarding workload considerations and contractual obligations during the development of new and the updating of current Board policies and/or administrative procedures.
  - iv. In addition and if appropriate, the Senate will present the proposed Board policy to the Planning and Budget Committee for program and fiscal impact considerations.
  - v. Each of these individuals, committees, constituent groups, and/or executive boards will have no less than two weeks and no more than 45 days to complete a review and provide feedback on the proposed Board policy and/or administrative procedure to the Senate leadership and/or the Senate Council.
- 3) The proposed Board policy and/or administrative procedure will be approved by the Academic Senate with consideration of the feedback provided during the consultation process stated in 7.f.2 above.
- 4) Once a Board policy and/or administrative procedure is approved by the Academic Senate, the Academic Senate President shall submit the Board policy to the Office of the Superintendent/President to ensure compliance with state and federal statutes, local policies or procedures, and regulations from other regulatory bodies before placement on the Board of Trustees' agenda.
- 5) The Academic Senate President or designee shall present the Board policy and/or administrative procedure to the Board of Trustees for information,

action, or both. As per Board Policy 2305.I.C.2, while in process of consulting collegially, the Academic Senate retains the right to appear before the Board of Trustees to present the views, recommendations, and/or proposals of the Senate.

- 6) The Superintendent/President has full authority to implement and administer Board policies once approved by the Board of Trustees
  - 7) The Superintendent/President has full authority to implement and administer administrative procedures once presented to the Board of Trustees as an information item.
- g. When a proposed Board policy and/or administrative procedure may be a district and college policy and procedure that has or will have a “significant effect on students” as defined in Title 5 § 51023.7:
- 1) The proposed Board policy and/or administrative procedure will be shared collegially with the Associated Students of Cuesta College (ASCC) President or designee to determine whether the proposal is focused on one of the ten levels of student involvement established in BP 2305.III.B.
  - 2) Students as represented by ASCC leadership shall be provided with opportunities to participate in the formulation and development of college policies and procedures that have or will have a significant effect on students.
  - 3) District and college policies and procedures that have or will have a “significant effect on students” as established in BP 2305.III.B include the following:
    - i. grading policies;
    - ii. codes of student conduct;
    - iii. academic disciplinary policies;
    - iv. curriculum development;
    - v. courses or programs which should be initiated or discontinued;
    - vi. processes for institutional planning and budget development;
    - vii. standards and policies regarding student preparation and success;
    - viii. student services planning and development;
    - ix. student fees within the authority of the district to adopt; and
    - x. any other district and college policy, procedure, or related matter that the Board of Trustees determines will have a significant effect on students.

- 4) The Board shall give reasonable consideration to recommendations and positions developed by students regarding district and college policies and procedures pertaining to the hiring and evaluation of faculty, administration, and staff.
  - 5) Nothing in this Section shall be construed to impinge upon the due process rights of faculty, nor to detract from any negotiations or negotiated agreements between collective bargaining agents and district governing boards.
- h. When a proposed Board policy and/or administrative procedure is deemed *not* to be an *academic and professional matter* by the Academic Senate leadership and will not have a “significant effect on students” as established by BP 2305:
- 1) The College Cabinet will have a minimum of 30 days and no more than 3 months (90 days) to review, update, and/or create the Board policy for College consideration. Considerations must be made based on Title 5, applicable state regulations, and feedback from the groups listed below in 7.h.2.
  - 2) The Superintendent/President or designee will consult with the Academic Senate, institutional planning committees, CCFT, CCCUE<sup>1</sup>, and/or ASCC as appropriate for feedback on the proposed Board policy. In addition and if appropriate, the Superintendent/President or designee will present the proposed Board policy to the Planning and Budget Committee for program and fiscal impact considerations. Each of these individuals, committees, or constituent groups will have no less than two weeks and no more than 45 days to complete a review and provide feedback on the proposed Board policy and/or administrative procedure.
  - 3) After the constituent groups and/or institutional planning committees have completed their reviews, the proposed Board policy and/or administrative procedure will be presented to the College Cabinet for final review and approval.
  - 4) The College Council shall submit the Board policy to the Office of the Superintendent/President to ensure compliance with state and federal statutes, local policies or procedures, and regulations from other regulatory bodies before placement on the Board of Trustees’ agenda.
  - 5) Proposals for new or revised board policy will be placed on the Board of Trustees’ meeting agenda for Board review and approval.
  - 6) Proposals for a new or revised administrative procedure will be approved by the Cabinet and forwarded to the Board as information items only.

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<sup>1</sup> Most policy and procedure issues related to personnel are addressed through collective bargaining. Should a proposal contain an item not covered under collective bargaining the appropriate constituent group will receive the item for action/review.

- 7) The Superintendent/President or designee shall present the proposed Board policy and/or administrative procedure to the Board of Trustees for information, action, or both.
- 8) The Superintendent/President has full authority to implement and administer Board policies once approved by the Board of Trustees
- 9) The Superintendent/President has full authority to implement and administer administrative procedures once presented to the Board of Trustees as an information item.

#### 8. Board Policy Review

- a. New Board policies and updates to Board policies adopted by the Board shall be placed in the policy manual, published in College publications, and posted on the Cuesta College website.
- b. A timeline for the complete review of all board policy has been developed. See Table (1) (Attached). The responsible academic manager or director will initiate a review of board policies under his/her authority.
  - 1) The oldest policies in each chapter will be reviewed first.
  - 2) Immediate revision to policies based on changes in legislation, government or education code, appropriate California Title, or other institutional necessity, will be presented for Board action outside of the regular review cycle.
- c. The Academic Senate will be asked to review Board policies focused on *academic and professional matters* and areas for appropriate action.

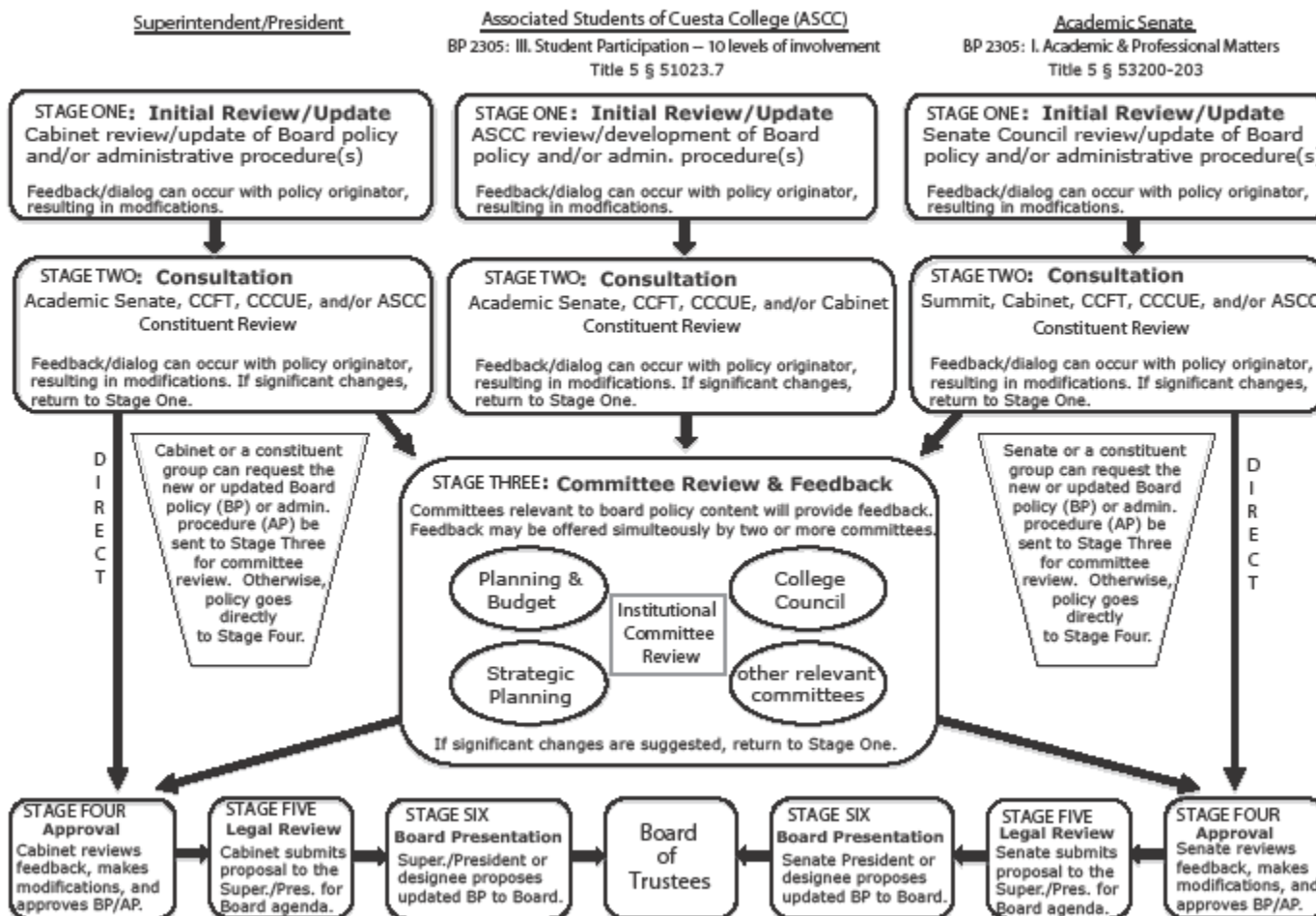
(Approved: Apr. 27, 1970)

(Revised: Sep. 1, 1993; Dec. 3, 2003, Renumbered and Revised: Mar 9, 2011; formerly BP 1000)

**ATTACHMENT A**

**Process for the Review, Creation, and/or Updating of Board Policies & Administrative Procedures**

Originators (Super./President, Academic Senate, CCFT, CCCUE, VPSS, VPAA, VPAS, Exec. Director HR, ASCC, outside community, etc.) select appropriate process path below.



Superintendent/President has full responsibility and authority to implement and administer board policies.



Schedule of Review  
for Board Policy

| Target Year to Complete             |           |           |           |  |
|-------------------------------------|-----------|-----------|-----------|--|
| Chapter                             | 2011-2012 | 2012-2113 | 2012-2114 | Responsible Area   |
| One - District                      | X         |           |           | Superintendent/President, Board of Trustees  |
| Two - Board of Trustees             | X         |           |           | Superintendent/President, Board of Trustees  |
| Three - General Institution         |           |           | X         | Superintendent/President,<br>Vice President, Administrative Affairs<br>Vice President, Academic Affairs,<br>Academic Senate 10+1<br>Vice President, Student Services,<br>ASCC<br>Human Resources |
| Four - Academic Affairs             |           | X         |           | Vice President, Academic Affairs,<br>Academic Senate 10+1  |
| Five - Student Affairs              |           | X         |           | Vice President, Student Services,<br>ASCC  |
| Six - Business and Fiscal Affairs   | X         |           |           | Vice President, Administrative Affairs   |
| Seven - Human Resources / Personnel |           |           | X         | Human Resources<br>Vice President, Administrative Affairs  |

Table (1)