

BP 2510 Minimum Standards for Participation in Local Decision Making

References: Education Code Section 70902(b)(7); Title 5 Sections 53200 et seq. (Academic Senate), 51023.5 (Staff), and 51023.7 (Students); Accreditation Standard IV.A

- I. **Scope of Authority.** The governing board is the ultimate decision-maker in those areas assigned to it by state and federal laws and regulations. In executing that responsibility, the governing board is committed to its obligation to ensure that appropriate members of the District participate in developing recommended policies for board action and administrative procedures for Superintendent/President action under which the District is governed and administered.
- II. **Role.** Each of the following shall participate as required by law in the decision-making processes of the District:
 - A. **Academic Senate (Title 5 Sections 53200-53206)**

The primary function of the Academic senate is to make recommendations to the administration of a college and to the governing board of a district with respect to academic and professional matters. Title 5 directs each governing board of California community colleges to, "...adopt policies for the appropriate delegation of authority and responsibility to its academic senate." In section 53203 of Title 5, the governing board is directed to adopt procedures for relying primarily or mutually agreeing with the senate on recommendations. These directives provide a shared governance role for the faculty in formulating recommendations to be presented to the governing board. The district governing board has developed the following policy accordingly on academic and professional matters with use of either or both of the following methods:

 1. **Rely primarily upon the advice and judgment of the academic senate:**

The governing board agrees to rely primarily upon policy and procedural recommendations of the Cuesta Academic Senate (when the following matters are at hand):

 - a. Curriculum, including prerequisites and placing courses within disciplines
 - b. Degree and certificate requirements
 - c. Grading policies
 - c. Standards or policies regarding student preparation and success
 - d. District and college governance structures, as related to faculty roles
 - e. Faculty roles and involvement in accreditation process, including self-study and annual reports
 - f. Policies for faculty professional development activities

Recommendations shall be presented to the governing board using a standard procedure. The Academic Senate President shall provide information to the Superintendent/President or the appropriate Vice-

President concerning placement of items on the governing board's agenda. The Academic Senate President or designee shall present these recommendations to the governing board for information, action, or both.

The recommendations of the Senate will normally be accepted, and only in exceptional circumstances and for compelling reasons will the recommendations not be accepted.

If a Senate recommendation in these areas is not accepted or revised by the governing board, the governing board or the Superintendent/President as the Board's designee shall promptly communicate the reasons in writing to the Academic Senate upon request.

2. Reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.

In addition to the matters in A.1, the governing board or its designee and the representatives of the Academic Senate shall have the obligation to reach mutual agreement by written resolution, regulation or policy on the following academic and professional matters:

- a. Educational program development
- b. Processes for program review
- c. Processes for institutional planning and budget development
- d. Other academic and professional matters as are agreed upon between the governing board and the Academic Senate

In instances where the governing board elects to provide for mutual agreement with the Academic Senate, and agreement has not been reached, existing policy shall remain in effect unless continuing with such policy exposes the district to legal liability or causes substantial fiscal hardship. In cases where there is no existing policy to be changed, the governing board may act, after a good faith effort to reach agreement, only for compelling legal, fiscal, or organizational reasons.

B. Staff (Title 5 Section 51023.5)

Staff shall be provided with opportunities to participate in the formulation and development of District policies and procedures that have a significant effect on staff. The opinions and recommendations of appropriate stake holders will be given every reasonable consideration.

C. Students (Title 5 Section 51023.7)

The Associated Students of Cuesta College shall be given an opportunity to participate effectively in the formulation and development of district policies and procedures that have a significant effect on students, as defined by law. The recommendations and positions of the Associated Students will be given every reasonable consideration. The selection of student representatives to serve on college or district committees, task forces, or other governance groups, shall be made after consultation with the Superintendent/President by the President of the Associated Students of Cuesta College.

III. Exceptions. Except for unforeseeable emergency situations, the governing board shall not take any action on matters subject to this policy until the appropriate stakeholder groups have been provided the opportunity to participate.

IV. Rights. Nothing in this policy will be construed to interfere with the formation or administrations of employee organizations or with the exercise of rights guaranteed under the Educational Employment Relations Act, Government Code Sections 3540 et seq.; or impinge upon the due process rights of students.

See Administrative Procedure 2510.

Approved: 6/4/2014

Reviewed: 11/20/2015

Revised: 12/2/2015

Formerly BP2305