

## **AP 2510 Minimum Standards for Participation in Local Decision Making**

**References:** Education Code Section 70902(b)(7); Title 5 Sections 53200 et seq., 51023.5, and 51023.7; Accreditation Standard IV.A.2, IV.A.5

The following definitions, involvement levels and procedures for faculty, staff, and students of Cuesta College are established to ensure the right to participate in governance and to express their opinions outside of the arena of collective bargaining.

### **I. Faculty Participation**

#### **A. Definitions**

1. Faculty - Faculty means those Cuesta College employees who are employed in positions that are not designated as supervisory or management and for which minimum qualifications for hire are specified by the Board of Governors, California Community Colleges.
2. Academic Senate - Academic Senate denotes an organization formed for the primary function of making recommendations to the administration or governing board with respect to academic and professional matters.
3. Collegial Consultation - Collegial consultation means that the district governing board shall develop policies on academic and professional matters through either or both of the following methods, according to its own discretion:
  - a. Relying primarily upon the advice and judgment of the Academic Senate (see B.1 below); or
  - b. That the district governing board, or such representatives as it may designate, and the representatives of the Academic Senate shall have the obligation to reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations (see B.2 below).

#### **B. Academic and Professional Matters**

1. 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. In light of these considerations, 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
- d. Standards or policies regarding student preparation and success
- e. District and college governance structures, as related to faculty roles
- f. Faculty roles and involvement in accreditation process, including self-study and annual reports
- g. 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. In addition to the matters in B.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.

### C. Delegation of Authority to the Academic Senate

1. The appointment of faculty members to serve on college or district committees, task forces, or other groups dealing with academic and professional matters, shall be made, after consultation with the Superintendent/President or designee, by the Academic as provided for in the senate by-laws.
2. While in process of consulting collegially, the Academic Senate shall retain the right to appear before the governing board to present the views, recommendations, and/or proposals of the Senate.

D. Scope of Procedure. Nothing in this section shall be construed to impinge upon matters subject to collective bargaining. The requirement to consult collegially shall not limit other rights and responsibilities of the Academic Senate which are specially provided in statute or other regulations.

## II. Staff Participation

A. Definition. Staff includes all college employees except faculty, short-term and/or substitute classified employees, and student employees. Management and non-management positions or groups of positions shall be separately defined or categorized.

B. Level of Involvement. Staff shall be provided with opportunities to participate in the formulation and development of district and college policies and procedures, as well as in those processes for jointly developing recommendations for action, that have or will have a significant effect on staff. Those areas that have a significant effect on staff will be determined by the governing board in consultation with staff. Prior to taking action on such matters, the board will provide staff the opportunity to participate in the formulation and development of those matters through appropriately determined procedures. Moreover, the board shall give every reasonable consideration to recommendations and opinions of staff.

C. Procedures for Participation.

1. Participation by staff in college governance will be facilitated primarily through the college's committee structure which is constituted to be representative of all employee segments and job classifications.
2. The selection of staff representatives to serve on college and district task forces, committees, or other governance groups shall, when required by law, be made by the appropriate staff stakeholder groups that the governing board has officially recognized in its policies and procedures for staff participation.
3. The appointment of staff to committees, task forces, or other groups, shall be done by the college President in consultation with the appropriate staff stakeholder groups that have been officially recognized as requiring participation.

D. Scope of Procedure. In developing and carrying out policies and procedures pursuant to these regulations, the governing board shall ensure that its actions do not dominate or interfere with the formation or administration of any employee stakeholder group, or contribute financial or other support to it, or in any way encourage employees to join any organization in preference to another. Procedures for staff participation shall not intrude on matters within the scope of representation under Section 3543.2 of the Government Code. In addition, the governing board shall not interfere with the exercise of employee rights to form, join, and participate in the activities of employee stakeholder groups of their own choosing for the purpose of representation on all matters of employer-employee relations. Nothing in this section shall be construed to impinge upon or detract from any negotiations or negotiated agreements between exclusive representatives and district governing boards. It is the intent of the Board of Governors to respect lawful agreements between staff and exclusive representatives as to how they will consult, collaborate, share or delegate among themselves the responsibilities that are or may be delegated to staff pursuant to these regulations.

### III. Student Participation

- A. Definition. For the purpose of this policy, the governing board shall recognize the Associated Students of Cuesta College (ASCC) as the representative body of students to offer opinions and to make recommendations to the administration and to the board with regard to district and college policies and procedures that have or will have a significant effect on students.
- B. Level of Involvement. The ASCC 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. These policies and/or procedures include the following:
1. Grading policies.
  2. Codes of student conduct.
  3. Academic disciplinary policies.
  4. Curriculum development.
  5. Courses or programs which should be initiated or discontinued.
  6. Processes for institutional planning and budget development.
  7. Standards and policies regarding student preparation and success.
  8. Student services planning and development.
  9. Student fees within the authority of the district to adopt.
  10. Any other college policy, procedure or related matter that the governing board determines will have significant effect on students.
- C. In addition, reasonable consideration shall be given to recommendations or positions developed by students regarding college policies and procedures pertaining to the hiring and evaluation of faculty, administration, and staff.
- D. Procedures for Participation. The following procedures are provided to enable

meaningful participation by students in the college governance process:

1. 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
2. The selection of the student trustee to serve as an advisory -voting member of the Cuesta College governing board shall be conducted according to the provisions established by the California Education Code, Cuesta College Board Policies, and the Constitution of the Associated Students of Cuesta College. When the student trustee is authorized to have an advisory vote, he/she shall be allowed to vote prior to the other trustees so the students' position can serve as truly advisory to the governing board.

E. Scope of Procedure. Nothing in this section shall be construed to impinge upon the due process rights of students,

Approved: 6/5/1991

Reviewed: 5/5/2014

Revised: 9/1/1993, 5/27/1998, 6/4/2014