

Nuts and Bolts, or: “What Do I Do Now?”

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Where Does The Academic Senate Derive Its Power?

- *Education Code §70902 (B)(7)*

The Governing Board shall ... ensure ... the right of academic senates to assume primary responsibility for making recommendation in the areas of **curriculum and academic standards**.

- *Title 5 §53200 (B)*

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

Academic and Professional Matters (aka the 10 + 1)

1. Curriculum + pre-requisites.
2. Degree + certificate requisites.
3. Grading policies
4. Educational program development
5. Standards/policies regarding student preparation + success
6. College governance structures as related to faculty roles
7. Faculty roles in accreditation
8. Policies: faculty development
9. Processes: program review
10. Processes: planning + budget

Plus 1

Other academic + professional matters as mutually agreed upon
-Title 5, section 53200 (c)

What Does All of This Mean?

- How do we ensure faculty primacy and joint development in these areas?
 - Resolutions
 - Discussions with and presentations to the board/senior administrators
 - Committee work
 - Liaisons with the faculty union and other organizations
 - Serving as the voice of academic and professional matters on campus in meetings with administration involving shared governance, tenure, budget decisions, and other matters

What Is Your Senate's Role?

- Academic senates are responsible for academic and professional matters in all areas of your college/district (not just instruction!)
- Academic senates are not enforcement bodies, and do not have the power to overrule the Board of Trustees or their designees

(Note: If a board or designee overrules a senate, legitimate reasons are to be provided in writing to the academic senate.)

What are Your Responsibilities as Senate President?

- Represent the faculty to the administration on academic and professional matters
- Work collegially with your union counterpart
- Conduct senate meetings
- Communicate with your college community
- Educate your colleagues (faculty, administrators, staff) on the role of academic senates
- Make sure faculty are appointed to committees
- Keep current on important trends...education, political
- Know the relevant sections of Ed Code, Title 5 and board policies/administrative procedures
- Others?

Governing Documents

Constitution and By-laws



Revised September 2010

Constitution

- Provides the basic structure and authority of your senate that should be difficult to revise
- Should include at a minimum:
 - The purpose of the senate and source of authority
 - The elected officers of the senate with basic duties
 - The basic organization of the senate
 - Process for amending (normally 2/3 vote of the faculty votes cast)
 - Basic provisions for election (frequency, when held)
 - Parliamentary authority used (e.g. Robert's Rules of Order)

Constitution

- Should not include operational details, such as:
 - Committee structure and membership
 - Election procedures,
 - Filling vacancies
 - Meeting times and dates

These are more appropriate for bylaws

Bylaws

- Provide the operational structure of the senate consistent with the provisions of the constitution
- Approved and amended by 2/3 vote of the senate, not the faculty at large
- Cannot supersede the constitution!!!

Bylaws

- Should include at a minimum:
 - Executive committee membership
 - Committee names, membership, and process for selecting chairs and membership of committees
 - Duties of officers and committee chairs
 - Election procedures and filling of vacancies
 - Process for amending bylaws
 - Process for suspension...should be very rare and require 2/3 vote!
 - Other?

Does the Board or Administration Have a Say in Senate Constitutions and Bylaws?

No!

- Title 5, section 53202:

(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.

Senate Recommendations: Rely Primarily or Mutually Agree?

How is that decided?

- Board or designee (chancellor or superintendent/president, college president) is allowed to decide if a recommendation is “rely primarily” or “mutual agreement.” (CCCCO Legal Opinion M97-20)
- However, it is best to adopt a shared governance agreement on which of the 10+1 are “rely primarily” and which are “mutual agreement.”

Shared Governance Agreement

Shared Governance Agreement (or Collegial Consultation Agreement, 10+1 Agreement) is used to:

- Specify which of the 10+1 are rely primarily and which are mutual agreement.
- Describe how recommendations are brought from the senate to the board or designee
- Describe how board or designee and senate work together to revise policies, reach mutual agreement, etc.

Shared Governance Agreement

Suggestions

- Integrate language from Ed Code (70902(B)(7)) and Title 5 sections on senates (53200, 53202, 53203) into your agreement
- Include the 1998 ASCCC/CCLC “Participating Effectively in College and District Governance” as part of the agreement (based on 1997 CCCCCO legal memo)
- Make sure approved agreement has signatures!

Senate Meetings...shouldn't look like this!



Maybe like this?



Senate Meetings

- Be collegial!
- Use a parliamentary authority, such as *Robert's Rules of Order Newly Revised*
- Notice items for first reading for action at a subsequent meeting, except in cases of urgency
(*Note: first and second readings are not a Brown Act requirement*)
- Covered by Brown Act...all meetings are open

Senate Meetings:

Working with The Brown Act

- Agendas posted publicly and online at least 72 hours before meeting starts
- Action can only be taken on items on the agenda
- Exception: Action may be taken on non-agenda item IF:
 - Need for immediate action is found after the agenda is posted
 - A vote of 2/3 of members present if more than 2/3 of the total membership are present, or a unanimous vote if less than 2/3 of the total membership is present

Regular Agenda Items to Consider

- Consent Calendar:
 - *For generally non-controversial items (curriculum updates, committee appointments, etc.)*
 - *Any senator can pull an item off the consent calendar for discussion*
- President's Report: Information from the ASCCC, Board of Trustees, Senior Administration, and other information conveyed to the president to be shared
- Committee Reports: All committees are expected to report out to the Senate; some committees, such as curriculum, will report out at all or most meetings

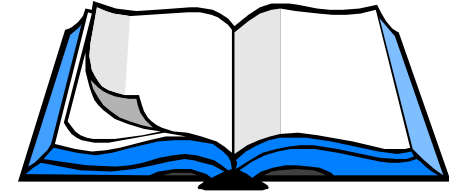
And...Some Icky Things You Might Have to Deal With (aka, When to Call for Help)

- No Confidence Vote: An expression by the faculty that they want an action, typically dismissal, taken against an administrator
 - There will be serious tensions and hard feelings...even when it has widespread support
 - It will be taken personally...even by administrators that aren't targeted by the resolution
 - It will affect your working relationship as a leader with the administration
 - Not to be taken lightly, and you better follow the Brown Act to the letter!!!
- Accreditation Nightmares: Sanctions, Show Cause, etc
- Others

Questions?

- Feel free to contact us:
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Resources



- www.asccc.org
 - Committee information, resolutions, papers, rostrum articles, etc
 - From there you can get links to Ed Code and Title 5 – with search engines (also found at www.oal.ca.gov)
- “Empowering Local Senates: Roles & Responsibilities of and Strategies for Effective Senates” (Spring 07):
<http://asccc.org/communities/local-senates/handbook>
- Chancellor’s Legal Opinion on enacting shared governance M97-20:
<http://extranet.cccco.edu/Portals/1/Legal/Ops/OpsArchive/97-20.pdf>

Thank You!