LOCAL SENATES HANDBOOK

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

Governance, Effective Participation, and Collegial Consultation

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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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 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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4 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.\(^5\)

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.

• 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.⁶