

DISTRICT GOVERNANCE COUNCIL
Tuesday, August 31, 2010
1:00 p.m.
Trophy Room, DVC
AGENDA

1. Call to order
2. Review of the August 31, 2010 agenda
3. Correction and approval of July 20, 2010 minutes
4. Chancellor's Report
 - Review of September 8th, 2010 Governing Board Agenda
 - Chancellor's report
5. Board Policy 6004 (New)- *Environmental Stewardship and Sustainability* – 2nd Read {*Brian Adair*}
6. Adoption Budget {*Serena Muindi*}
7. Accreditation Recommendation #4 {*Helen Benjamin*}
Consideration of BP 1012, AP 1012.1, BP 1009, AP 1009.01, 1009.02
8. Response to Accreditation Policy Changes {*Michael Norris*}
www.accjc.org/actions_on_policy.htm
9. BP 3022, Open Enrollment —1st read {*Jennifer Ounjian*}
10. SS 3024, Open Enrollment – 1st read {*Jennifer Ounjian*}
11. Rules and Regulations of the Governing Board – 1st read {*Jennifer Ounjian*}
12. DGC meeting schedule {*Deshawn Woolridge*}
14. Reports from Constituent Groups
15. DGC Steering Committee Report
16. Adjournment

(over)

District Governance Council Minutes
July 20, 2010
Meeting Minutes

Classified Staff:

Present: Georgette Stewart, Mike West

Absent: Greg Evilsizer, Ann Patton, Colleen Lento, Krista Ducharme, Linda Kohler, Rose Orpilla, Mercy Pono,

Faculty:

Present: Richard Akers, Laurie Lema, Glen Appell, Michael Norris

Absent: Ruth Sison, Michael Yeong, Jeffrey Michels,

Management:

Present: John Wade, Michael Todd, Bill Oye

Absent: Lyn Krause, Yvonne Canada, Bob Estrada, Sandra Smith, Linda Cherry,

SRC:

Present:

Absent: Russ Holt

Students:

Present: Jim Gardner, Deshawn Woolridge

Absent: Chelsea Cheung, Brian Donovan, Keith Montes

Guests:

Helen Benjamin, Kindred Murillo, Serena Muindi, Gene Huff

1. **Call to order**

- a. The meeting was called to order by DGC Chair Norris at 1:03 p.m.
- b. See list at time to see who was present
- c. Introduction of New Members: Tonia Teresh (future DGC Member from DVC for Management)

2. **Review of the July 20, 2010 agenda** → 1:05 pm

- a. Agenda Item Number 5: District Governance Survey was stricken
- b. Agenda was passed by consent of constituency groups

3. **Correction and approval of June 21, 2010 minutes** → 1:06 pm

- a. Agenda was passed by consent of constituency groups

4. **Chancellor's Report** → 1:07 pm

(over)

- a. Review of July 28, 2010 Governing Board Agenda
 - i. Location of Study Session will be at DVC Trophy Room
 - ii. Focus on Contract Education then Consent Agenda
 - iii. No Notes Provided regarding Finance or Human Relations Department
 - iv. If there are any question, please email Chancellors Office
 - v. Presentation of Governing Board Dates in draft form for Board to approve
- b. Chancellor's report
 - i. New Student Trustee: Brandon Armago (Contra Costa)
 - ii. District Achievement Gap:
 - a. Achievement with our students shows gap which isn't just a district issue but a national issue. Unleveled balance of success. Long term issue that needs to have a multi pronged success.
 - b. Chancellor Cabinet Retreat- Focus on equity gap. As district, we need to take on this issue. Chancellor's cabinet recommends to board to take on this issue district wide.

5. ~~**District Governance Survey – Discussion {Helen Benjamin}**~~

- a. Agenda Item was stricken when the Agenda was moved to be approved

6. **Board Policy 6004 (New)- Environmental Stewardship and Sustainability – 1st Read {Ray Pyle and Brian Adair}** → 1:35 pm

- a. Policy is created to support and reinforces the use of resources to meet the needs of the present without compromising the ability of future generations to meet their need.
- b. Discussion arose out of discussion with college presidents and with the leadership of Helen Benjamin and Kindred Murillo.
- c. Discussion on creating business procedure out of current wordage in board policy.
- d. DGC Recommendations:
 - i. 1st
 - **Original Sentence:** “...exercise environmental stewardship, develop educational opportunities, foster community dialog...”
 - **Proposed Change:** “...exercise environmental stewardship, develop educational opportunities, promoting environmentally responsible business procedures, foster community dialog...”
 - ii. 2nd
 - **Original Sentence:** “promote responsible transportation, and economically manage the use of buildings, land and natural resources to be more sustainable”
 - **Proposed Change:** “promote responsible transportation, and economically manage the use of building, grounds and natural resources to be more sustainable”

7. **Business Procedure 18.04 (Revised) - Academic and Classified Senate Budget Guidelines**
– 2nd Read {Serena Muindi} → 1:58 pm
 - a. No Objections to Forwarding Business Procedure.
8. **Board Policy 2057(New) - Hiring of Contract Administrators – 2nd read {Gene Huff}** → 2:03 pm
 - a. **Discussed two previously recommended changes:**
 - i. The language with wordage discussing STAC (Student Trustees Advisory Council)
 - ii. 2/3 eliminated
 - iii. Passed the second read.
9. **HR Procedure 1010.06 (New) - Hiring of Contract Administrators – 2nd read {Gene Huff}** → 2:24 pm
 - a. Approved in its presented form: Motioned: Managers, Second: Classified and Vote: 4-0-0 (Students, Managers, Faculty, and Classified)
10. **DGC Evaluation Results – {Steering Committee}** → 2:26 pm
 - a. Two Surveys Given Out
 - i. District Wide Survey
 - ii. Survey for DGC Group
 - b. **Discussion Points based on results:**
 - i. Evaluation of DGC Meeting Date (Noted as a Future Agenda Item)
 - ii. Be proactive rather than reactive
 - iii. Getting information early (ex: agenda packets)
 - iv. Adding DGC Constituency contacts to website
 - v. Discussion on constituency reports being necessary
11. **Reports from Constituent Groups** → 2:53
 - a. Faculty — No Report
 - b. Managers — No Report
 - c. Classified — Introduction of: Ann Patton, New DVC Classified Senate President and Coleen Lento, New DVC Classified Senate Vice-President
 - d. Student – No Report
12. **DGC Steering Committee Report** → 2:51 pm
 - a. No meeting
13. **Adjournment** → 3:02 pm
 - a. The meeting was adjourned at 3:02 p.m.

(over)

Board Policy 6004

ENVIRONMENTAL STEWARDSHIP AND SUSTAINABILITY

The Governing Board supports resource and environmental conservation. The District shall maintain a policy of environmental stewardship and sustainability that supports and reinforces the use of resources to meet the needs of the present without compromising the ability of future generations to meet their needs.

The District recognizes its obligation to establish best environmental and organizational practices that are conducive to student learning and the health, well-being, and effectiveness of all people within the community at large, and to maintain an atmosphere where students, faculty, and staff can develop the knowledge, skills, and values of environmental protection.

The Governing Board delegates to the Chancellor or designee the authority to exercise environmental stewardship, develop educational opportunities, foster community dialog, enhance regional awareness, advocate for environmental justice, promote responsible transportation, and economically manage the use of buildings, land and natural resources to be more sustainable.

The Governing Board will be kept informed by annual progress reports provided by each college and the District Office.

(over)

Districtwide Accreditation Recommendation #4

Packet to August 31, 2010 DGC Meeting – First Read

Topic: Districtwide Accreditation Recommendation #4

Person: Helen Benjamin

Time: 30 minutes

District Recommendation 4: *In order to meet standards, the district should develop a policy and implement procedures for evaluating the effectiveness of the district's administrative organization, the delineation of responsibilities of the district and the colleges, and the governance and decision making structures. The results should be widely communicated and used as a basis for improvement. (IV.A, IV.A.1, IV.A.2, IV.A.3, IV.B.E, IV.B.3.a, IV.B.3.b, IV.B.3.e, IV.B.3.f, IV.B.3.g)*

Policy/Procedure/Survey	Revisions	Requested Action
<ul style="list-style-type: none"> Board Policy 1012, <u>Strategic Planning Institutional Effectiveness: Planning, Assessment, and Continuous Improvement</u> 	Revised to address institutional effectiveness and broaden the scope to include assessment, continuous improvement, and a linkage to budget allocations	1 st Read
<ul style="list-style-type: none"> Administrative Procedure 1012.01 (New) <u>Institutional Effectiveness: Planning, Assessment, and Continuous Improvement</u> 	Developed to link the processes of institutional effectiveness and define the roles and responsibilities.	1 st Read
<ul style="list-style-type: none"> Board Policy 1009*, <u>Institutional Leadership, Governance, and Decision-Making</u> <p>*Includes: > Title 5 back-up</p>	Revised to include institutional leadership and alignment with the governance and decision-making structure	1 st Read
<ul style="list-style-type: none"> Board Policy 1009 Administrative Procedure 1009.01, <u>Institutional Participatory Governance</u> 	Renumbered to administrative procedure, with acknowledgement of the "participatory" governance structure	1 st Read
<ul style="list-style-type: none"> Administrative Procedure 1009.0402, <u>Process to Reach Agreement between the Governing Board and the Faculty Senates Coordinating Council on Districtwide Policies and Procedures Governing Academic and Professional Matters</u> 	Renumbered	Information

INSTITUTIONAL EFFECTIVENESS: STRATEGIC PLANNING, ASSESSMENT AND CONTINUOUS IMPROVEMENT

The District shall maintain a strategic plan that supports and reinforces the mission and goals of all District sites and their strategic plans. This plan shall be reviewed annually and serve as the guide for operational planning.

The Governing Board's role is to provide the District with communications links throughout the county and to ensure that the strategic plan broadly addresses the needs of the constituencies that are served. The Governing Board provides direction and policy that define the vision and mission. In addition, the Governing Board monitors organizational progress on strategic initiatives in the plan. The Board will be kept informed by annual progress reports to the Board provided by each college and the District Office.

As the Governing Board's designee, the Chancellor shall ensure that each college shall have integrated planning processes that maintain current strategic and operational plans that are linked to resource allocation decisions. Each plan shall be based on the college's mission, vision and values, define the institution's priorities and carry out the strategic directions established by the Governing Board through the District Strategic Plan. Managers, faculty, classified staff, and students shall be involved in formulating, reviewing, and implementing the plans. Current copies of each college's strategic plan shall be maintained at the District Office.

The Chancellor shall establish and implement regular cycles of review for assessing the effectiveness of (1) the District's administrative organization and (2) the delineation of roles and responsibilities of the District and the colleges, and (3) the District governance and decision-making processes. In addition, s/he shall ensure the review of each instructional, student services, and administrative program and department/unit in the District.

Each college and the District Office shall include these reviews in formal processes by which systematic assessment of institutional effectiveness is conducted. The results of these assessments shall be used to achieve continuous improvement and communicated broadly. Budget allocations and other major academic and administrative decisions must be linked to these planning and assessment processes to improve institutional effectiveness. Institutional planning, assessment, and continuous improvement processes must contribute to the realization of the District vision, values, mission, and strategic plans.

INSTITUTIONAL EFFECTIVENESS: PLANNING, ASSESSMENT AND CONTINUOUS IMPROVEMENT**Roles and Responsibilities**

1. The Governing Board fulfills its policy role in institutional effectiveness by providing direction and facilitating decisions that improve effectiveness. The Governing Board monitors organizational progress on all aspects of institutional effectiveness and will be kept informed through annual progress reports on same.
2. Each college and the District Office shall have a planning committee charged with the responsibility of developing, implementing, and assessing a strategic plan as set forth in District policy. The committee shall oversee the development of a strategic plan every five years and annual operational plans.

Assessment and Continuous Improvement Activities

1. Each college and the District Office shall conduct internal and external assessments of institutional effectiveness on a regular basis. Internally, Student Learning Outcomes assessments and the administrative/student service unit reviews and academic program reviews shall be conducted, and separate sets of assessment documentation shall be maintained for each. The data gleaned from the reviews shall provide evidence of institutional effectiveness relating to how well the colleges and the District fulfill their respective missions, achieve their goals and use the results to improve student learning, improve services and programs, and inform planning and resource allocation as part of the overall mission, vision, values and strategic plan. Externally, the District shall participate in any data reports generated by the state. The results of such reports shall be shared broadly and used as a basis for improvement.
2. In its role of supporting the mission and functions of the colleges, the District Office shall maintain a document delineating the roles, responsibilities and service outcomes of the colleges and the District Office in departments shared by each entity. The contents of the document shall be evaluated every four years and the results used as a basis for continuous improvement of the operations.
3. District governance and decision-making processes shall be evaluated every three years and the results used as a basis for improving the processes. At a minimum, all persons who serve in leadership positions at the District level and all who serve on District committees shall participate in the evaluation process.
4. The District administrative organization shall be evaluated every three years and the results used for continuous improvement.

INSTITUTIONAL LEADERSHIP, GOVERNANCE, AND DECISION-MAKING

The Governing Board, the Chancellor, and the college Presidents provide leadership and direction to execute the mission of the District using organizational values as a guide. The Governing Board exercises final authority and responsibility for all policy decisions made in the District. The Governing Board delegates operational decision-making authority to the Chancellor. The Chancellor delegates authority to the college Presidents for the operation of the colleges. The Chancellor's Cabinet serves in an advisory capacity to the Chancellor.

The Contra Costa Community College District governance and decision-making structure has five components, two of which are mandated in AB 1725: institutional governance and academic and professional matters. The third component, labor relations, is outlined in the Rodda Act and provides for collective bargaining in the public sector. The fourth component, administrative matters, is outlined in the Contra Costa Community College District Rules and Regulations of the Governing Board, Administrative Officers. The fifth component, public interests, refers to, issue-specific matters (legal, regulatory, and other matters) under the direct purview of the Governing Board. The types of decisions made through the governance process fall under one of the five components. As the Governing Board's designee, the Chancellor shall ensure the evaluation of the effectiveness of the governance and decision-making structure on a regular basis and will use the results as a means for improvement. (See Exhibit A.)

Participatory Governance

Districtwide participatory governance issues are discussed by the District Governance Council (DGC), a constituency-based group made up of an equal number of students, classified staff, faculty and managers, representing the District Office, the colleges, and state-approved centers. The role of each constituency group in governance is delineated in Administrative Procedure 1009.01. DGC discusses and debates issues and influences policies and procedures by making well-informed decisions and forwards them as recommendations to the chancellor or the Governing Board in accordance with operational procedures. DGC also serves as the District Budget Committee, reviewing budget recommendations and giving input on budget-related matters.

Academic and Professional Matters

Academic and professional matters are in the purview of the faculty. The Faculty/Academic Senates of the District consult collegially with the Board through the chancellor on policies and procedures on academic and professional matters as defined in Title 5, Section 53200. The process to reach agreement between the faculty and the Governing Board is delineated in Administrative Procedure 1009.02.

Administrative

Administrative matters are a variety of issues that can be brought forth that do not fall into the participatory governance area. Such matters can be initiated by management work groups, Chancellor's Cabinet, individuals, District committees, community members and submitted to the chancellor for consideration and routing to the appropriate decision-making body if required.

Labor

Labor relations matters are negotiated with employee groups with managers representing the interest of the Governing Board. The Governing Board is consulted by the chancellor and chief negotiator throughout the bargaining process with each group. Final decisions are approved by the Governing Board.

Public Interests

Public interests refer to the ability of members of the public, including students, to present issues directly to the Governing Board. These issues may include statutory and other matters in the direct purview of the Governing Board. The Chancellor serves as the liaison for the Board in such matters.

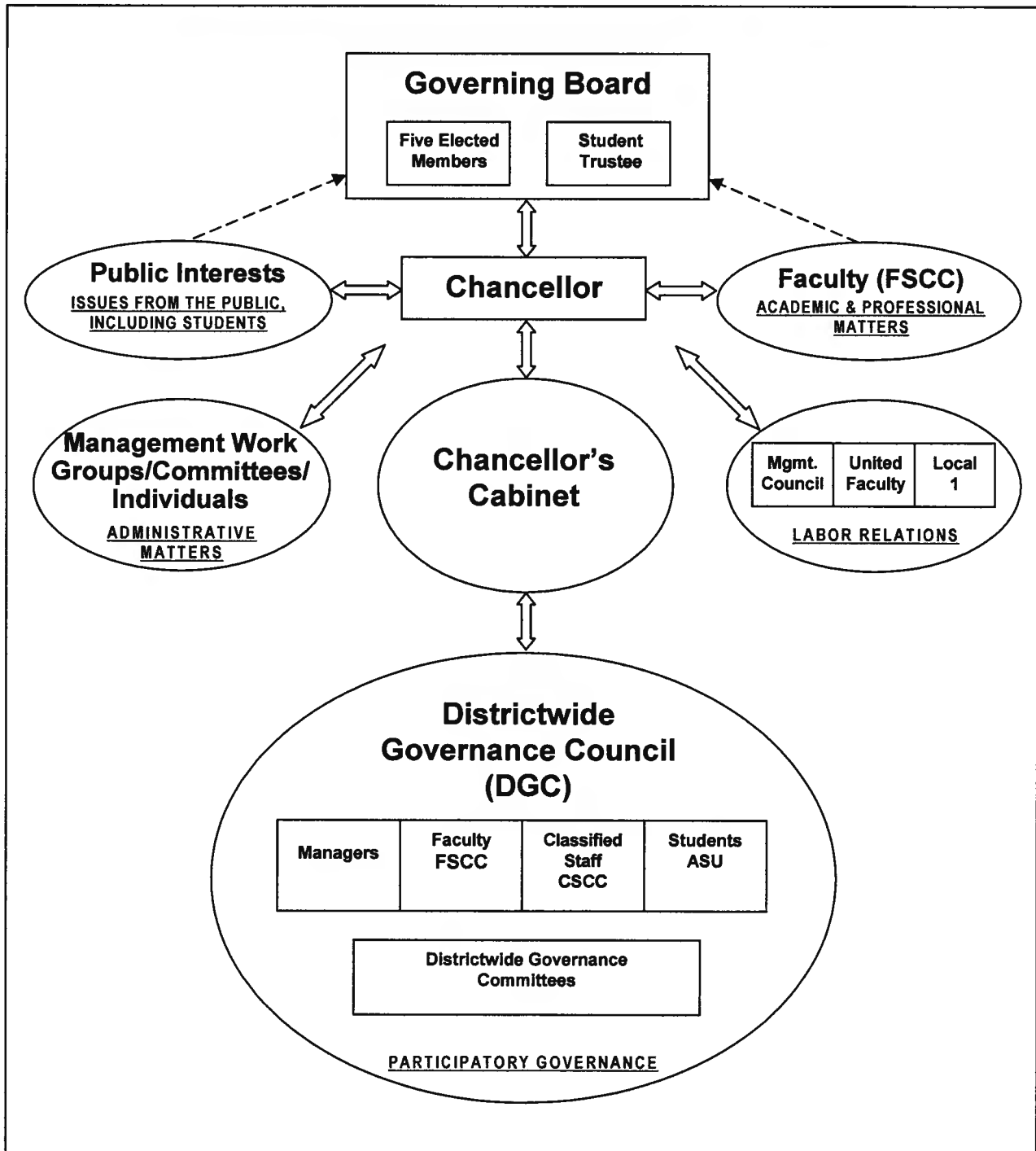
Historical Annotation:
Adopted 11/20/91
Revised 10/22/97
Second Revision 7/21/99
Third Revision 00/00/10

Related Board Policies:
Board Policy 1012

Related Procedures
Administrative Procedures 1009.01, 1009.02, 1012.01

DISTRICTWIDE GOVERNANCE AND DECISION-MAKING STRUCTURE

The Contra Costa Community College District governance and decision-making structure has five components, two of which are mandated in AB 1725: institutional governance and academic and professional matters. The third component, labor relations, is outlined in the Rodda Act and provides for collective bargaining in the public sector. The fourth component, administrative matters, is outlined in the Contra Costa Community College District Rules and Regulations of the Governing Board, Administrative Officers. The fifth component, public interests, refers to the ability of members of the public, students, and employees to present issues directly to the Governing Board.



MOVED TO NEW ADMINISTRATIVE PROCEDURE 1009.01**INSTITUTIONAL GOVERNANCE****INTRODUCTION**

~~Assembly Bill 1725 enacted a new structure of community college governance, in part through strengthening the role of faculty, staff and students. In order to ensure the faculty, staff, and students of the Contra Costa Community College District the right to participate effectively in District and college governance, the Governing Board adopts the following policy in accordance with the provisions of AB 1725, Title 5, and the directives of the Board of Governors of the California Community Colleges.~~

~~The Governing Board recognizes that one of the basic principles of governance in higher education is that authority derives not only from the powers vested in governing boards and their staffs by law, but also from the knowledge and experience possessed by the faculty, staff and others. Both sources of authority are vital to the development and implementation of sound educational policy. Institutional governance recognizes and is predicated upon the sincere commitment on the part of all participants to our students, our professions, our colleges and our District. It is made a reality not only through processes for developing recommendations but also through the delegation of authority and fixing of responsibility in appropriate areas. It is a complex process of consultation that demands from faculty, managers, classified staff, and students a respect for divergent opinions, a sense of mutual trust, and a willingness to work together for the good of the instructional enterprise.~~

FACULTY PARTICIPATION

~~The Governing Board will consult collegially with the Academic Senate when adopting policies and procedures on academic and professional matters as defined in Title 5, Section 53200 (c). Except in those areas where the Governing Board will rely primarily upon the advice and judgment of the Academic Senate, the 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.~~

~~The Governing Board recognizes that the Academic Senate is established in order that the faculty have a formal and effective procedure for participation in the formation and implementation of District and college policies on academic and professional matters and, as the representatives of the faculty, has as its primary function that of making recommendations to the administration of the college and to the Governing Board of the District with respect to academic and professional matters.~~

~~While in process of consulting collegially, the Academic Senate will retain the right to meet with or appear before the Governing Board with respect to the views, recommendations, or proposals of the Senate.~~

~~The appointment of faculty members to serve on councils, committees, task forces, or other groups dealing with academic and professional matters, will be made by the Academic Senate, in consultation as appropriate with the President or his/her designee on college matters or with the Chancellor or his/her designee on District matters.~~

~~In those areas where the Governing Board elects to rely primarily upon the advice and judgment of the Academic Senate, the recommendations of the Senate will normally be accepted, and only in exceptional circumstances and for compelling reasons will the recommendations not be accepted. In those areas where the Governing Board elects to provide for mutual agreement with the Academic Senate, where an agreement on a policy or procedure concerning an academic or professional matter has not been reached, existing policies and procedures shall remain in effect unless continuing such policy exposes the District to legal liability or causes substantial fiscal hardship. In such cases, the Governing Board has the right and~~

~~responsibility to exercise the final decision on all recommendations.~~

~~The Governing Board's consultation with the Academic Senate on academic and professional matters will not impinge upon the due process rights of faculty nor detract from the negotiated agreement with United Faculty. Further, the Governing Board will respect agreements between the Academic Senate and United Faculty representatives as to how they will consult, collaborate, share or delegate among themselves the responsibilities that are or may be delegated to Academic Senates pursuant to Title 5, Sections 53200-53204.~~

STAFF PARTICIPATION

~~The Governing Board will consult collegially with the Classified Senates or equivalent when adopting policies and procedures that it determines are likely to have a significant impact on staff. Staff will have the opportunity to participate effectively in formulating District and college policies, and in those processes for jointly developing recommendations for action by the Governing Board that the Governing Board determines, in consultation with staff are appropriate in accordance with approved institutional governance participation structures and procedures for staff. The Governing Board will ensure that the recommendations and opinions of staff are given reasonable consideration, and it will not take action on matters significantly affecting staff until it has provided staff an opportunity to participate, except in unforeseeable, emergency situations.~~

~~The Governing Board recognizes that all members of the classified service except classified managers are staff for purposes of participation in institutional governance.~~

~~The appointment of staff to serve on college and District councils, committees, task forces or other governance groups will be made by the Classified Senates in consultation as appropriate with the President or his/her designee on college matters or with the Chancellor or his/her designee on District matters.~~

~~The Governing Board's consultation with the Classified Senates on matters which have a significant impact on staff will not impinge upon the policies and procedures governing the participation rights of faculty and students pursuant to Title 5, Sections 53200-53205 and Section 51023.7, nor detract from the negotiated agreement with Local One. Further, the Governing Board will respect agreements between the Classified Senates and Local One 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 Title 5, Section 51023.5.~~

STUDENT PARTICIPATION

~~The Governing Board will consult collegially with the associated student organizations as the representative bodies to offer opinions and to make recommendations with regard to policies and procedures that have or will have a significant effect on students as defined in Title 5, Sections 51023.7. Students will have the opportunity to participate effectively in formulating District and college policies, and in those processes for jointly developing recommendations for action by the Governing Board. The Governing Board will ensure that at the District and college levels, recommendations and positions developed by students are given every reasonable consideration, and it will not take action on matters significantly affecting students until it has provided students an opportunity to participate, except in unforeseeable emergency situations.~~

~~The appointment of student representatives to serve on college and District councils, committees, task forces, or other governance groups will be made by the associated student organizations in consultation as appropriate with the President or his/her designee on college matters or with the Chancellor or his/her designee on District matters.~~

~~The Governing Board's consultation with the associated student organizations on matters which have a significant impact on students will not impinge upon the due process rights of faculty nor detract from negotiated agreements with United Faculty and Local One.~~

POLICY DEVELOPMENT AREAS BY CONSTITUENT GROUPS

Academic Senate (Title 5, Section 53200)

~~Academic and professional matters means the following policy development matters. The Governing Board will rely primarily upon the advice and judgment of the Academic Senate with regard to items 1 through 3 and reach mutual agreement with regard to items 4 through 11:~~

- ~~1. Curriculum, including establishing prerequisites and placing courses within disciplines;~~
- ~~2. Degree and certificate requirements; and~~
- ~~3. Grading policies.~~
- ~~4. Educational program development;~~
- ~~5. Standards or policies regarding student preparation and success;~~
- ~~6. District and college governance structures, as related to faculty roles;~~
- ~~7. Faculty roles and involvement in accreditation processes, including self study and annual reports;~~
- ~~8. Policies for faculty professional development activities;~~
- ~~9. Processes for program review;~~
- ~~10. Processes for institutional planning and budget development; and~~
- ~~11. Other academic and professional matters as mutually agreed upon between the Governing Board and Academic Senate.~~

Classified Senate (Title 5, Section 51023.5, Staff)

~~Participation in formulating District and college policies, and in those processes for jointly developing recommendations for action by the Governing Board, that the Governing Board determines, in consultation with staff, are likely to have a significant impact on staff.~~

Associated Student Organizations (Title 5, Section 51023.7)

~~Participation in development of District and college policies and procedures that have or will have a "significant effect on students" which includes 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 District and college policy, procedure or related matter that the Governing Board determines will have a significant effect on students.~~

(b) Within six months of the formation of a community college district, the governing board shall adopt and carry out its policies and procedures to provide that its courses and programs are articulated with proximate baccalaureate colleges and high schools.

NOTE: Authority cited: Sections 66700, 70901 and 78401, Education Code. Reference: Sections 70901, 70902 and 78016, Education Code.

HISTORY

1. New section filed 6-27-84; effective thirtieth day thereafter (Register 84, No. 26).
2. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
3. Editorial correction of HISTORY 2 (Register 95, No. 15).
4. Amendment of section and NOTE filed 3-15-2006; operative 4-14-2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).

§ 51023. Faculty.

The governing board of a community college district shall:

(a) adopt a policy statement on academic freedom which shall be made available to faculty;

(b) adopt procedures which are consistent with the provisions of sections 53200-53206, regarding the role of academic senates and faculty councils;

(c) substantially comply with district adopted policy and procedures adopted pursuant to subdivisions (a) and (b).

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

HISTORY

1. New section filed 6-27-84; effective thirtieth day thereafter (Register 84, No. 26).
2. Amendment filed 3-4-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91 (Register 91, No. 23). Submitted to OAL for printing only pursuant to Education Code Section 70901.5(b).
3. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
4. Editorial correction of HISTORY 2 (Register 95, No. 15).
5. Amendment filed 3-15-2006; operative 4-14-2006. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2006, No. 17).

§ 51023.5. Staff.

(a) The governing board of a community college district shall adopt policies and procedures that provide district and college staff the opportunity to participate effectively in district and college governance. At minimum, these policies and procedures shall include the following:

(1) Definitions or categories of positions or groups of positions other than faculty that compose the staff of the district and its college(s) that, for the purposes of this section, the governing board is required by law to recognize or chooses to recognize pursuant to legal authority. In addition, for the purposes of this section, management and nonmanagement positions or groups of positions shall be separately defined or categorized.

(2) Participation structures and procedures for the staff positions defined or categorized.

(3) In performing the requirements of subsections (a)(1) and (2), the governing board or its designees shall consult with the representatives of existing staff councils, committees, employee organizations, and other such bodies. Where no groups or structures for participation exist that provide representation for the purposes of this section for particular groups of staff, the governing board or its designees, shall broadly inform all staff of the policies and procedures being developed, invite the participation of staff, and provide opportunities for staff to express their views.

(4) Staff shall be provided with opportunities to participate in the formulation and development of district and college policies and procedures, and in those processes for jointly developing recommendations for action by the governing board, that the governing board reasonably determines, in consultation with staff, have or will have a significant effect on staff.

(5) Except in unforeseeable, emergency situations, the governing board shall not take action on matters significantly affecting staff until it has provided staff an opportunity to participate in the formulation and development of those matters through appropriate structures and procedures as determined by the governing board in accordance with the provisions of this Section.

(6) The policies and procedures of the governing board shall ensure that the recommendations and opinions of staff are given every reasonable consideration.

(7) When a college or district task force, committee, or other governance group, is used to consult with staff regarding implementation of this section or to deal with other issues which have been determined to significantly affect staff pursuant to subdivision (a)(4), the appointment of staff representatives shall be made as follows:

(A) The exclusive representative shall appoint representatives for the respective bargaining unit employees, unless the exclusive representative and the governing board mutually agree in a memorandum of understanding to an alternative appointment process.

(B) Where a group of employees is not represented by an exclusive agent, the appointment of a representative of such employees on any task force, committee or governance group shall be made by, or in consultation with, any other councils, committees, employee organizations, or other staff groups that the governing board has officially recognized in its policies and procedures for staff participation.

(C) When the task force, committee or governance group will deal with issues outside the scope of collective bargaining, any other council, committee or staff group, other than an exclusive agent, that the governing board has officially recognized in its policies and procedures for staff participation may be allowed to designate an additional representative. These organizations shall not receive release time, rights, or representation on such task forces, committees, or other governance groups exceeding that offered to the exclusive representative of classified employees.

(D) In all cases, representatives shall be selected from the category that they represent.

(b) In developing and carrying out policies and procedures pursuant to subsection (a), the district governing board shall ensure that its actions do not dominate or interfere with the formation or administration of any employee organization, or contribute financial or other support to it, or in any way encourage employees to join any organization in preference to another. In addition, in order to comply with Government Code sections 3540, et seq., such procedures for staff participation shall not intrude on matters within the scope of representation under section 3543.2 of the Government Code. Governing boards shall not interfere with the exercise of employee rights to form, join, and participate in the activities of employee organizations 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.

(c) Nothing in this section shall be construed to impinge upon the policies and procedures governing the participation rights of faculty and students pursuant to sections 53200-53204, and section 51023.7, respectively.

(d) The governing board of a community college district shall comply substantially with the provisions of this section.

NOTE: Authority cited: Section 70901, Education Code. Reference: Sections 70901, 70901.2 and 70902, Education Code; and Sections 3540 et seq., Government Code.

HISTORY

1. New section filed 3-12-91 by Board of Governors of California Community Colleges with the Secretary of State operative 4-5-91. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b), (Register 91, No. 23).

2. Editorial correction of printing error in subsection (b) and HISTORY 1. (Register 91, No. 43).
3. Amendment of subsections (a)(1), (a)(3), (a)(5), (a)(7), (b), (c) and (d) filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).
4. Amendment of section and NOTE filed 5-16-2003; operative 6-15-2003. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 2003, No. 27).

§ 51023.7. Students.

(a) The governing board of a community college district shall adopt policies and procedures that provide students the opportunity to participate effectively in district and college governance. Among other matters, said policies and procedures shall include the following:

(1) Students shall be provided an opportunity to participate in formulation and development of district and college policies and procedures that have or will have a significant effect on students. This right includes the opportunity to participate in processes for jointly developing recommendations to the governing board regarding such policies and procedures.

(2) Except in unforeseeable, emergency situations, the governing board shall not take action on a matter having a significant effect on students until it has provided students with an opportunity to participate in the formulation of the policy or procedure or the joint development of recommendations regarding the action.

(3) Governing board procedures shall ensure that at the district and college levels, recommendations and positions developed by students are given every reasonable consideration.

(4) For the purpose of this Section, the governing board shall recognize each associated student organization or its equivalent within the district as provided by Education Code Section 76060, as the representative body of the students to offer opinions and to make recommendations to the administration of a college and to the governing board of a district with regard to district and college policies and procedures that have or will have a significant effect on students. The selection of student representatives to serve on college or district committees, task forces, or other governance groups shall be made, after consultation with designated parties, by the appropriate officially recognized associated student organization(s) within the district.

(b) For the purposes of this Section, district and college policies and procedures that have or will have a "significant effect on students" includes 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; and
- (10) any other district and college policy, procedure, or related matter that the district governing board determines will have a significant effect on students.

(c) The governing 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.

(d) 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. It is the intent of the Board of Governors to respect agreements between academic senates and collective bargaining agents as to how they will consult, collaborate, share or delegate among themselves the responsibilities that are or may be delegated to academic senates pursuant to the regulations on academic senates contained in Sections 53200-53206.

(e) The governing board of a community college district shall comply substantially with policies and procedures adopted in accordance with this Section.

NOTE: Authority cited: Sections 66700 and 70901(b)(1)(E), Education Code. Reference: Sections 70901 (b)(1)(E), 70902(b)(7) and 76060, Education Code.

HISTORY

1. New section filed 3-12-91 by Board of Governors of California Community Colleges with the Secretary of State; operative 4-5-91. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 91, No. 23).
2. Editorial correction of printing errors in subsections (a) and (b) and HISTORY 1 (Register 91, No. 43).
3. Amendment of subsections (a)(2), (a)(4), (b), (b)(10), (d) and (e) filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

§ 51024. Matriculation Services.

The governing board of each community college district shall:

(a) adopt and submit to the Chancellor a matriculation plan as required under Section 55510;

(b) evaluate its matriculation program and participate in statewide evaluation activities as required under Section 55512(c);

(c) provide matriculation services to its students in accordance with Sections 55520 and 55521;

(d) establish procedures for waivers and appeals in connection with its matriculation program in a manner consistent with Section 55534; and

(e) substantially comply with all other provisions of Subchapter 6 (commencing with Section 55500) of Chapter 6 of this Division.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 78210-78218, Education Code.

HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-5-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).
2. Amendment of first paragraph and subsection (e) filed 4-3-92; operative 5-4-92 (Register 92, No. 15).

§ 51025. Full-Time/Part-Time Faculty.

This section relates to and should be read in conjunction with subchapter 3 (commencing with section 53300) of chapter 4 of this division.

(a) By November 20 of each fiscal year the Board of Governors shall determine whether funds provided for cost-of-living adjustment, less any net reductions to the programs and allocations specified in subsection (b), are adequate to allow full or partial implementation of the provisions of paragraph (1) of subsection (c) and whether additional funds have been provided to allow implementation of the provisions of paragraph (6) of subsection (c). The Board of Governors may revise these determinations, and may revise the district's full-time faculty hiring obligations, based on the above criteria, at any time subsequent to the state enacting mid-year reductions to one or more of the programs or allocations specified in subsection (b).

(b) For the purposes of this section the following programs and allocations are deemed to be essential and core to the mission and budgets of the California Community Colleges: general apportionment, growth for apportionment, cost-of-living adjustments, basic skills, Partnership for Excellence, financial aid administration, Extended Opportunity Programs and Services, Disabled Student Programs and Services, matriculation, part-time faculty compensation, part-time faculty health insurance, part-time faculty office hours, program improvement and allocations directed specifically to help reach the 75 percent full-time faculty standard.

(c) If a district's full-time faculty percentage, as calculated pursuant to section 53308, is less than 75 percent, the following shall apply:

(1) If the Board of Governors has determined pursuant to subsection (a) that adequate funds have been provided for implementation of this paragraph, the district's base full-time faculty obligation (as defined in section 53311) shall be increased for the fall term of the succeeding fiscal year, by the product of the base full-time faculty obligation multiplied by the percentage change in funded credit FTES, rounded down to the nearest whole number.

(7) faculty roles and involvement in accreditation processes, including self-study and annual reports;

(8) policies for faculty professional development activities;

(9) processes for program review;

(10) processes for institutional planning and budget development; and

(11) other academic and professional matters as are mutually agreed upon between the governing board and the academic senate.

(d) "Consult collegially" 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:

(1) relying 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 academic senate shall have the obligation to reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

HISTORY

1. Amendment of NOTE filed 11-4-77; effective thirtieth day thereafter (Register 77, No. 45).
2. Amendment of NOTE filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).
3. Amendment filed 10-30-90 with Secretary of State by Board of Governors, California Community Colleges; operative 11-30-90 (Register 90, No. 49). Submitted to OAL for printing only pursuant to Education Code section 70901.5(b).
4. Relocation of article 2 heading filed 5-15-93; operative 6-4-93 (Register 93, No. 25).
5. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

§ 53201. Academic Senate or Faculty Council.

In order that the faculty may have a formal and effective procedure for participating in the formation and implementation of district policies on academic and professional matters, an academic senate may be established at the college and/or district level.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

HISTORY

1. Amendment filed 2-10-78; effective thirtieth day thereafter (Register 78, No. 6).
2. Amendment of NOTE filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).
3. Amendment filed 10-30-90 with Secretary of State by Board of Governors, California Community Colleges; operative 11-30-90 (Register 90, No. 49). Submitted to OAL for printing only pursuant to Education Code section 70901.5(b).

§ 53202. Formation; Procedures; Membership.

The following procedure shall be used to establish an academic senate:

(a) The full-time faculty of a community college shall vote by secret ballot to form an academic senate.

(b) In multi-college districts, the full-time faculty of the district colleges may vote on whether or not to form a district academic senate. Such vote shall be by secret ballot.

(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.

(d) The full-time faculty may provide for the membership and participation of part-time faculty members in the academic senate.

(e) In the absence of any full-time faculty members in a community college, the part-time faculty of such community college may form an academic senate.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

HISTORY

1. Amendment filed 2-10-78; effective thirtieth day thereafter (Register 78, No. 6).
2. Amendment filed 4-27-83; effective thirtieth day thereafter (Register 83, No. 18).
3. Amendment filed 10-30-90 with Secretary of State by Board of Governors, California Community Colleges; operative 11-30-90 (Register 90, No. 49). Submitted to OAL for printing only pursuant to Education Code section 70901.5(b).

§ 53203. Powers.

(a) The governing board of a community college district shall adopt policies for appropriate delegation of authority and responsibility to its college and/or district academic senate. Among other matters, said policies, at a minimum, shall provide that the governing board or its designees will consult collegially with the academic senate when adopting policies and procedures on academic and professional matters. This requirement to consult collegially shall not limit other rights and responsibilities of the academic senate which are specifically provided in statute or other Board of Governors regulations.

(b) In adopting the policies and procedures described in Subsection (a), the governing board or its designees shall consult collegially with representatives of the academic senate.

(c) While in the process of consulting collegially, the academic senate shall retain the right to meet with or to appear before the governing board with respect to the views, recommendations, or proposals of the senate. In addition, after consultation with the administration of the college and/or district, the academic senate may present its views and recommendations to the governing board.

(d) The governing board of a district shall adopt procedures for responding to recommendations of the academic senate that incorporate the following:

(1) in instances where the governing board elects to rely primarily upon the advice and judgment of the academic senate, 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 recommendation is not accepted, the governing board or its designee, upon request of the academic senate, shall promptly communicate its reasons in writing to the academic senate.

(2) 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, or in cases where the exposure to legal liability or substantial fiscal hardship requires 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.

(e) An academic senate may assume such responsibilities and perform such functions as may be delegated to it by the governing board of the district pursuant to Subsection (a).

(f) 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 chief executive officer or his or her designee, by the academic senate. Notwithstanding this Subsection, the collective bargaining representative may seek to appoint faculty members to committees, task forces, or other groups.

NOTE: Authority cited: Sections 66700 and 70901, Education Code. Reference: Sections 70901 and 70902, Education Code.

HISTORY

1. Repealer and new section filed 10-30-90 with Secretary of State by Board of Governors, California Community Colleges; operative 11-30-90 (Register 90, No. 49). Submitted to OAL for printing only pursuant to Education Code section 70901.5(b). For prior history, see Register 81, No. 3.
2. Amendment filed 9-6-94; operative 10-6-94. Submitted to OAL for printing only pursuant to Education Code section 70901.5 (Register 94, No. 38).

§ 53204. Scope of Regulations.

Nothing in this Subchapter shall be construed to impinge upon the due process rights of faculty, nor to detract from any negotiated agreements between collective bargaining representatives and district governing

INSTITUTIONAL PARTICIPATORY GOVERNANCE

INTRODUCTION

Assembly Bill 1725 enacted a new structure of community college governance, in part through strengthening the role of faculty, staff and students. In order to ensure the faculty, staff, and students of the Contra Costa Community College District the right to participate effectively in District and college governance, the Governing Board adopts the following **policy procedure** in accordance with the provisions of AB 1725, Title 5, and the directives of the Board of Governors of the California Community Colleges.

The Governing Board recognizes that one of the basic principles of governance in higher education is that authority derives not only from the powers vested in governing boards and their staffs by law, but also from the knowledge and experience possessed by the faculty, staff and others. Both sources of authority are vital to the development and implementation of sound educational policy. Institutional governance recognizes and is predicated upon the sincere commitment on the part of all participants to our students, our professions, our colleges and our District. It is made a reality not only through processes for developing recommendations but also through the delegation of authority and fixing of responsibility in appropriate areas. It is a complex process of consultation that demands from faculty, managers, classified staff, and students a respect for divergent opinions, a sense of mutual trust, and a willingness to work together for the good of the instructional enterprise.

FACULTY PARTICIPATION

The Governing Board will consult collegially with the Academic Senate when adopting policies and procedures on academic and professional matters as defined in Title 5, Section 53200 (c). Except in those areas where the Governing Board will rely primarily upon the advice and judgment of the Academic Senate, the 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.

The Governing Board recognizes that the Academic Senate is established in order that the faculty have a formal and effective procedure for participation in the formation and implementation of District and college policies on academic and professional matters and, as the representatives of the faculty, has as its primary function that of making recommendations to the administration of the college and to the Governing Board of the District with respect to academic and professional matters.

While in process of consulting collegially, the Academic Senate will retain the right to meet with or appear before the Governing Board with respect to the views, recommendations, or proposals of the Senate.

The appointment of faculty members to serve on councils, committees, task forces, or other groups dealing with academic and professional matters, will be made by the Academic Senate, in consultation as appropriate with the President or his/her designee on college matters or with the Chancellor or his/her designee on District matters.

In those areas where the Governing Board elects to rely primarily upon the advice and judgment of the Academic Senate, the recommendations of the Senate will normally be accepted, and only in exceptional circumstances and for compelling reasons will the recommendations not be accepted. In those areas where the Governing Board elects to provide for mutual agreement with the Academic Senate, where an agreement

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on a policy or procedure concerning an academic or professional matter has not been reached, existing policies and procedures shall remain in effect unless continuing such policy exposes the District to legal liability or causes substantial fiscal hardship. In such cases, the Governing Board has the right and responsibility to exercise the final decision on all recommendations.

The Governing Board's consultation with the Academic Senate on academic and professional matters will not impinge upon the due process rights of faculty nor detract from the negotiated agreement with United Faculty.

Further, the Governing Board will respect agreements between the Academic Senate and United Faculty representatives as to how they will consult, collaborate, share or delegate among themselves the responsibilities that are or may be delegated to Academic Senates pursuant to Title 5, Sections 53200- 53204.

STAFF PARTICIPATION

As stipulated in Title 5, Section 51023.5, † the Governing Board will provide staff the opportunity to participate effectively in governance. The District defines staff as (1) classified employees and (2) management (excluding contract managers), supervisory and confidential employees.

1. Classified Staff Participation

The Governing Board will ~~consult collegially with~~ **provide classified staff the opportunity to participate effectively in governance through** the Classified Senates or equivalent when adopting policies and procedures that it determines are likely to have a significant impact on staff. Staff will have the opportunity to participate effectively in formulating District and college policies, and in those processes for jointly developing recommendations for action by the Governing Board that the Governing Board determines, in consultation with staff are appropriate in accordance with approved institutional governance participation structures and procedures for staff. The Governing Board will ensure that the recommendations and opinions of staff are given reasonable consideration, and it will not take action on matters significantly affecting staff until it has provided staff an opportunity to participate, except in unforeseeable, emergency situations.

The Governing Board recognizes that all members of the classified service except classified managers are staff for purposes of participation in institutional governance.

The appointment of staff to serve on college and District councils, committees, task forces or other governance groups will be made by the Classified Senates in consultation as appropriate with the President or his/her designee on college matters or with the Chancellor or his/her designee on District matters.

The Governing Board's consultation with the Classified Senates on matters which have a significant impact on staff will not impinge upon the policies and procedures governing the participation rights of faculty and students pursuant to Title 5, Sections 53200-53205 and Section 51023.7, nor detract from the negotiated agreement with Local One. Further, the Governing Board will respect agreements between the Classified Senates and Local One 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 Title 5, Section 51023.5.

2. **Management, Supervisory, and Confidential Employees**

Managers, supervisors, and confidential employees will have the opportunity to participate effectively in formulating District and college policies, and in those processes for jointly developing recommendations for action by the Governing Board that the Governing Board determines are appropriate in accordance with approved governance structures and procedures.

The Governing Board will ensure that the recommendations and opinions of managers, supervisors, and confidential employees are given reasonable consideration, and it will not take action on matters significantly affecting them until they have been provided an opportunity to participate, except in unforeseeable, emergency situations.

The appointment of managers, supervisors and/or confidential employees to serve on college and District councils, committees, task forces or other governance groups will be made by the college presidents and/or the chancellor in collaboration with the respective management, supervisory, and/or confidential employees.

STUDENT PARTICIPATION

As stipulated in Title 5, Section 51623.7, ~~the Governing Board will consult collegially with~~ **provide students the opportunity to participate effectively in governance through** the associated student organizations as the representative bodies to offer opinions and to make recommendations with regard to policies and procedures that have or will have a significant effect on students as defined in Title 5, Sections 51023.7. Students will have the opportunity to participate effectively in formulating District and college policies, and in those processes for jointly developing recommendations for action by the Governing Board. The Governing Board will ensure that at the District and college levels, recommendations and positions developed by students are given every reasonable consideration, and it will not take action on matters significantly affecting students until it has provided students an opportunity to participate, except in unforeseeable emergency situations.

The appointment of student representatives to serve on college and District councils, committees, task forces, or other governance groups will be made by the associated student organizations in consultation as appropriate with the President or his/her designee on college matters or with the Chancellor or his/her designee on District matters.

The Governing Board's consultation with the associated student organizations on matters which have a significant impact on students will not impinge upon the due process rights of faculty nor detract from negotiated agreements with United Faculty and Local One.

POLICY DEVELOPMENT AREAS BY CONSTITUENT GROUPS

Academic Senate (Title 5, Section 53200)

Academic and professional matters means the following policy development matters. The Governing Board will rely primarily upon the advice and judgment of the Academic Senate with regard to items 1 through 3 and reach mutual agreement with regard to items 4 through 11:

1. Curriculum, including establishing prerequisites and placing courses within disciplines;
2. Degree and certificate requirements; and
3. Grading policies.

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4. Educational program development;
5. Standards or policies regarding student preparation and success;
6. District and college governance structures, as related to faculty roles;
7. Faculty roles and involvement in accreditation processes, including self study and annual reports;
8. Policies for faculty professional development activities;
9. Processes for program review
10. Processes for institutional planning and budget development; and
11. Other academic and professional matters as mutually agreed upon between the Governing Board and Academic Senate.

Classified Senate (Title 5, Section 51023.5, Staff)

Participation in formulating District and college policies, and in those processes for jointly developing recommendations for action by the Governing Board, that the Governing Board determines, in consultation with staff, are likely to have a significant impact on staff.

Associated Student Organizations (Title 5, Section 51023.7)

Participation in development of District and college policies and procedures that have or will have a "significant effect on students" which includes 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 District and college policy, procedure or related matter that the Governing Board determines will have a significant effect on students.

**PROCESS TO REACH AGREEMENT BETWEEN THE GOVERNING BOARD
AND THE FACULTY SENATES COORDINATING COUNCIL ON DISTRICTWIDE
POLICIES AND PROCEDURES GOVERNING ACADEMIC AND PROFESSIONAL MATTERS¹**

The Faculty Senates of Contra Costa College, Diablo Valley College and Los Medanos College reach agreement with the Governing Board on policies and procedures concerning Districtwide academic and professional matters through the Faculty Senates Coordinating Council (FSCC). The Chancellor is the designee of the Governing Board. The Chancellor may ask staff such as the consultation group, which consists of the Academic Senate Presidents, the College Presidents and the Chancellor, to take part in the discussion of policies and procedures relating to academic and professional matters, and FSCC may ask other faculty or staff to take part in the discussion. If the policy has a direct impact on students, they will be invited to take part in the discussion as well. The final agreement, however, will be reached between the FSCC and the Chancellor prior to the forwarding of new or revised policies and procedures to the Governing Board.

This administrative procedure does not change the processes through which individual college Senates reach agreement with the Governing Board on matters of concern to an individual college.

1. The Governing Board or its designee shall consult collegially with the Academic Senate (FSCC) when adopting (new or revising existing) policies/procedures on academic and professional matters. Drafts of new or revised policies/procedures regarding academic and professional matters may be developed by FSCC or other District employees or employee groups or students or the public. When changes in a policy/procedure are recommended, the timeline to act on the recommendation is as follows:
 - a. The president of the FSCC and the Chancellor will provide a written response regarding the proposed policy/procedure to each other and, as appropriate, to the person or entity making the recommendation within 30 working days.
 - b. The Chancellor and FSCC president will respond to one another's statements under (1a) above within 30 working days from the date each receives the other's statement.
2. If agreement between the FSCC and the Chancellor is reached, the Chancellor or FSCC will send the recommendation to the District Governance Council (DGC) as an informational item. The Chancellor, consistent with Board Policy 1002, will place it on the Governing Board agenda first as an informational item (first reading) and then, not less than one regular Board meeting later, as a nonconsent action item (second reading).
 - a. The approved policy or procedure will be printed and distributed per the processes appropriate to the nature of the recommendation.
3. If agreement is not reached after appropriate attempts to resolve the issue between the FSCC and the Chancellor, both recommendations will be forwarded to the Governing Board. The FSCC may present its views and recommendations in writing directly to the Governing Board, or orally at a regularly scheduled Board meeting.

1. "Academic and professional matters" means policy development and implementation matters as noted in Footnotes #2 and #3.

4. If the FSCC and the Governing Board cannot reach an agreement regarding the recommended new or revised policy/procedure, existing policies and procedures shall remain in effect unless the Governing Board finds that either of the circumstances set forth below exists:
 - a. In cases where the Governing Board has agreed to rely primarily on the advice and the judgment of the Academic Senate (Items 1-3 of Title 5, Section 53200(c))², there must exist either exceptional circumstances or compelling reasons for not following the FSCC recommendation. If the recommendation is not followed on this basis, the Governing Board or its designee, upon request from the Academic Senate (FSCC), will promptly communicate its reasons in writing to the Academic Senate.
 - b. Where the Board has agreed to reach mutual agreement with the Academic Senate on the academic or professional matters (Items 4-11 of Title 5, Section 53200(c))³, the existing policies/procedures shall remain in effect unless continuing with such policy/procedure exposes the District to legal liability or causes substantial fiscal hardship. In such instances, the Governing Board will act only after it has made a good faith effort to reach agreement and only for compelling legal, fiscal, or organizational reasons. If the recommendation is not followed on this basis, the Governing Board or its designee, upon request from the Academic Senate, will promptly communicate its reasons in writing to the Academic Senate.

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2. Items 1 through 3 are:
 - 1) curriculum, including establishing prerequisites and placing courses within disciplines;
 - 2) degree and certificate requirements; and
 - 3) grading policies.
 3. Items 4 through 11 are:
 - 4) educational program development;
 - 5) standards or policies regarding student preparation and success;
 - 6) district and college governance structures, as related to faculty roles;
 - 7) faculty roles and involvement in accreditation processes, including self-study and annual reports;
 - 8) policies for faculty professional development activities;
 - 9) processes for program review;
 - 10) processes for institutional planning and budget development; and
 - 11) other academic and professional matters as are mutually agreed upon between the governing board and the academic senate.

Response to Memo from Barbara Beno
Concerning possible changes to ACCJC Policies
By Michael Norris

On August 2nd, 2010, Barbara Beno, President of the ACCJC, sent out a memo describing new and revised policies that were part of a first reading at their June 2010 Commission meeting. The Second reading and consideration for adoption will occur at the January 2012 meeting. In order to be included in Commission deliberations, comments must be received by October 1, 2010. Thus any comments that the DGC would like to send in must be decided on at the August 31st meeting. The new policies and changes can be found at www.accjc.org under "Recent Commission Actions" which links to "Actions on Policy".

I have read these documents and have condensed my concerns and comments into the following four pages. There could easily be more issues with the policy changes, but I feel we should at least discuss the ones below. Please feel free to bring up any other issues at the meeting on the 31st. My comments are in regular print and the Policy Changes are either in *italics* or ~~strikeout~~. The first two items are completely new policies and the other six are revisions.

New 1. Integrity

Below is a new policy concerning the integrity of "the institution" but there is no connection to the ACCJC itself, and these are the commission's policies. I think that the ACCJC should be included in ever statement.

1 ACCREDITING COMMISSION FOR COMMUNITY AND JUNIOR COLLEGES
Western Association of Schools and Colleges
Policy on Integrity
(First Reading, June 2010)

Background:

The Accrediting Commission for Community and Junior Colleges expects each member institution to subscribe to and advocate high ethical standards in the management of its affairs and all of its activities dealing with students, faculty, staff, its governing board, external agencies and organizations – including the Commission, and the general public.

Policy Elements:

1. The institution expects that the college community including the board, administration, faculty, staff, and students will act responsibly and with integrity. Institutional leadership fosters an atmosphere and environment within which issues of integrity can be considered openly. Moreover, members of the college community understand and assume responsibility in the pursuit of integrity.

2. The institution's relationship with internal and external constituencies is characterized by integrity, honesty, clarity, and fairness.

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3. The institution has policies to ensure academic honesty, and policies and procedures to prevent conflict of interest throughout the organization including board decision making and contracting, and policies on due process: these are reviewed regularly.

4. The institution manages its academic, student support, and administrative function responsibilities for students with integrity and honesty.

5. The institution establishes and publicizes clear policies ensuring institutional integrity that contain clear statements of responsibility and how grievances are resolved.

6. The institution, in its relationship with the Commission, demonstrates honesty and integrity, and it complies, at all times, with the Accreditation Standards, Eligibility Requirements, and Commission policies.

The last sentence states that we must "comply at all times with the Accreditation Standards, Eligibility Requirements and the Commission Policies". If that were the case, we wouldn't need an accreditation commission. Also I am disturbed that this statement falls under the purview of a policy on integrity and to me implies that if we don't comply, we are being dishonest.

New 2. Policy on Institutional Degrees and Credits

Part 3b concerns lab hours.

One laboratory credit hour represents 1 hour per week of lecture or discussion time plus 1-2 hours per week of scheduled supervised or independent laboratory work, and 2 hours of student preparation time. Most laboratory courses are awarded up to 4 credit hours. For a laboratory course earning 3 credit hours, this formula represents at least 45 hours of class time, between 45 and 90 hours of laboratory time, and 90 hours of student preparation per semester

Is this what a lab hour has always been; an hour of lecture, 1-2 hours of the "lab" itself, and then two hours of outside class prep? That's more work than a lecture hour. And how does this possibly connect with a lab hour by arrangement?

Revised 1. Benefits of Accreditation

No comments.

Revised 2. Closing an Institution

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No comments.

Revised 3. Actions on Institutions and Reports

The commission is cutting back on the categories of reports. There will no longer be just a focused mid-term report. Item II deletes all granting of accreditation with a midterm. Item III deletes all reaffirmations with just a midterm report. For example:

~~Reaffirm accreditation, and request a Focused Midterm Report. The institution substantially meets or exceeds *the Eligibility Requirements*, Accreditation Standards, Eligibility Requirements, and Commission policies, but the Commission wishes to direct the institution's attention to a small number of the recommendations for special emphasis. The Commission will specify the nature, purpose, and scope of the focus of this report. The institution is required to submit the Focused Midterm Report in the third year of the six-year accreditation cycle.~~

The only way you can get a focused mid-term report is if you needed a follow up report, and of course all follow ups have to have mid terms. My question is whether the cutting back on categories will cut back or increase reports. It could be that those who really only needed a midterm will no longer have to provide one. Or it more likely could be that basically unless you are perfect, everyone gets both a follow-up and a midterm. While I somewhat see the logic of everyone having to do a follow-up in one year because of the fed two year rule, it just seems like MORE WORK.

The insertion of item number IV A seems like a major power grab on the part of someone.

IV. Actions on Institutional Reports

A. Actions on Self Study Reports:

The Self Study Report is a part of the comprehensive visit. Prior to distributing the institution's Self Study Report to the visiting team members and in rare instances, the Commission President may reject a Self Study Report when the quality or substance is insufficient for the Commission to determine if the Eligibility Requirements, Accreditation Standards, and/or Commission policies are met. In addition, the Commission may reject a Self Study Report when the quality or substance is insufficient for the Commission to determine if the Eligibility Requirements, Accreditation Standards, and/or Commission policies are met. The Commission or its President will require the institution to resubmit the report and reschedule the visit. The institution's accredited status continues during this period.

In the best of all worlds I would think the intent of IV A is to give a six month extension to a college to get their self study report in better shape (the accreditation status is not interrupted). But I am extremely suspicious of this new power of the commission president and I think a bad self study should just

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stand on its own. Maybe everything at the college is fine and they just have difficulty writing a self-study.

Revised 4. Policy on Commission Good Practice in Relations with Member Institutions

No comments.

Revised 5. Rights and Responsibilities

Under part D, the responsibility of the commission to consult with the institution about selecting visiting team members with no conflict of interest and impartiality has been stripped.

~~ACCJC~~ *The Commission has the responsibility to: select visiting team members, in consultation with the institution, who are competent by virtue of experience, training, and orientation, and are sensitive to the uniqueness unique mission of the institution. The Commission assures that team members and are impartial, objective, and without conflict of interest; ensure and that the composition, team size, and length of visit are determined in consultation with the institution, determined with regard to the size and complexity of the institution, and appropriate to accomplish the objectives of the visit. The Commission has the responsibility to assure that team members keep confidential all institutional information examined or heard before, during, and after the team visit.*

Now the commission assures that team members are impartial. I feel this is wrong. How would they even know without consulting the institution?

Also under part D, there is new wording concerning the relationship between union collective bargaining agreements and college accreditation obligations. I don't know where the unions stand on this but I think we should here them out.

"Member institutions must acknowledge that specialized accrediting agency recognition, local government requirements and/or local collective bargaining agreements, in and of themselves, do not abrogate or substitute institutional and employee obligations to comply with Eligibility requirements, Accreditation Standards and commission policies."

Revised 6. Substantive Change

No comments.

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OPEN, MULTIPLE, AND OVERLAPPING ENROLLMENT

Open Enrollment

The policy of the District is that, unless specifically exempted by statute or regulation, every course, course section, or class, reported for state aid, wherever offered and maintained by the district, shall be fully open to enrollment and participation by any person who has been admitted to the college(s) and who meets such prerequisites as may be established pursuant to regulations contained in Article 2.5 (commencing with Section 55200) of Sub-chapter 1 of Chapter 6 of Division 6 of Title 5 of the California Code of Regulations.

The Chancellor or designee shall assure that this policy is published in the catalog(s) and schedule(s) of classes.

Multiple and Overlapping Enrollment

Students may only enroll in two or more sections of the same credit course during the same term if the length of the course provides that the student is not enrolled in more than one section at any given time.

The Chancellor or designee shall establish procedures to ensure that students may only enroll in two or more courses where the meeting times overlap under the conditions specified in Title 5, Section 55007.

Title 5, California Code of Regulations, Sections 51006 and 55007

OPEN ENROLLMENT

Open Enrollment

All courses of the District shall be open to enrollment in accordance with a priority system as reflected in the college catalogs. Enrollment may be limited to students meeting properly validated prerequisites and co-requisites, or other requirements based on Title 5 Code, section 58106, and practical considerations as determined by the appropriate college dean.

Students are not required to participate in any pre-registration activities not uniformly required, and no registration procedures are used that result in restricting enrollment to a specialized clientele.

The following registration procedures are permissible: special registration assistance to the handicapped or disadvantaged student as defined by statute for the purpose of providing equalization of educational opportunity.

Multiple and Overlapping Enrollment

A student may not enroll in two or more sections of the same credit course during the same term unless the length of the course provides that the student is not enrolled in more than one section at any given time.

A student may not enroll in two or more courses where the meeting times for the courses overlap, unless:

- The student provides a valid justification, other than scheduling convenience, of the need for an overlapping schedule.
- The student makes up the overlapping hours at some other time during the same week under the supervision of the instructor of the course.

Enrollment in overlapping classes must be approved by the appropriate college Dean.

Title 5, California Code of Regulations, Sections 55007, 58106 and 58108

**RULES AND REGULATIONS
OF THE
GOVERNING BOARD
CONTRA COSTA COMMUNITY COLLEGE DISTRICT
CONTRA COSTA COUNTY
MARTINEZ, CALIFORNIA**

AUTHORITY

1. The Contra Costa Community College District is governed by the five elected members of the Governing Board. The Governing Board has full legislative authority in the operation of the Contra Costa Community College District, in accordance with the Education Code, rules of the Board of Governors of the California Community Colleges and Statutes of the State of California.

The Governing Board may delegate to the Chancellor authority over all personnel, educational, financial and business matters pertaining to the operation of the District. All actions by the Chancellor are subject to review by the Governing Board.

2. The authority of the Governing Board shall be as a whole, acting in accordance with the following Rules. No Governing Board member acting outside these Rules shall commit the Governing Board or District in any way.

ORGANIZATION

3. The officers of the Governing Board shall be elected by action of the Governing Board and shall consist of a President, a Vice President, and a Secretary, elected from among the members of the Governing Board.
4. Officers shall be elected at the annual organization meeting of the Governing Board to hold their respective offices for the period of one year, or until their successors are elected.
5. Any of the Governing Board offices provided in paragraph 3, when vacated for any cause, shall be filled by the Governing Board at its next meeting by the election of a successor for the unexpired term. Such elections shall be roll call vote and the vote of at least three members of the Governing Board shall be necessary to elect.
6. In case of temporary absence or disability of both the President and Vice President, a President pro tem shall be chosen by a majority vote of Governing Board members present.
7. At any regular meeting, or at any special meeting for which such action is specified when the meeting is called, the Governing Board may, by affirmative vote of at least three of its members, remove from any appointed office any officer, and declare the office vacant, and elect a successor to the officer so removed. Members of the Governing Board may be removed only in accordance with Government Code Section 1770.
8. Board Finance Committee: Replacement Board members for the Board Finance Committee shall be appointed annually at the January regular Board meeting. The term of service shall be two years, effective on the date of appointment, and staggered so that only one of the two Board Finance Committee members is replaced each year, providing for continuity.

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STUDENT REPRESENTATION

9. On September 30, 1977, the Governor approved Assembly Bill No. 591 which provides for the inclusion of a nonvoting student within the membership of the Governing Board, in addition to the number of members otherwise prescribed. The student selected to serve on the Governing Board shall be enrolled and maintain a minimum of five (5) semester units in a community college of the District and must be a resident of the District **as determined pursuant to Part 41 (commencing with Education Code Section 68000). (See Education Code 72023.5.)** The student shall meet and maintain the Standards of Scholarship, as noted in Board Policy 4001 and Curriculum and Instruction Procedure 4001. The student shall remain in good academic and disciplinary standing as defined in the Student Code of Conduct, Student Services Procedure 3027, throughout the duration of his/her term. The term of the Student Trustee ~~shall be one year commencing~~ **commences** on June 1 of each year **and shall be limited to one year, irrespective of college affiliation. The Student Trustee is not required to give up employment with the District. The Student Trustee shall be entitled to any mileage allowance necessary to attend Board meetings to the same extent as publicly elected trustees.** The Student Trustee is entitled to participate in the discussion of issues and receive all materials presented to members of the Governing Board, except for closed session. Under the provisions of the law, the Student Trustee shall not be liable for any acts of the Governing Board and shall not be included in determining the vote required to carry any measure before the Governing Board.
10. The nonvoting Student Trustee shall be selected and subject to recall by the students of the District for the term to be served in accordance with District procedures. In the event a nonvoting Student Trustee is unable to serve a full term, the vacancy on the Governing Board shall be filled by a student who is enrolled at the same college as the student who does not serve the full term and who is selected in accordance with District procedures.
11. The role of the Student Trustee is to:
 - a. In open session, express the student position with an advisory vote on matters that do not pertain to collective bargaining, confidential personnel and legal matters discussed in closed sessions. The advisory vote, which shall be given first, does not count in determining if an item passes, but is recorded in the official minutes. This privilege must be approved by the Governing Board for continuation on a year-to-year basis prior to May 15.
 - b. Represent attending students of the three colleges as a nonvoting member of the District Governing Board. Express the views of students to the Governing Board.
 - c. Provide general information to the Governing Board regarding student government activities on the three campuses in the form of a report presented at the monthly Governing Board meeting.
 - d. Meet monthly with the Chancellor to review the student government report prior to presentation at the Governing Board meeting.
 - e. Provide leadership to the Student Trustee Advisory Council, composed of the Chancellor, the ASU President or designee from each campus and the ASU Advisors. Chair the meetings of the Advisory Council.
 - f. Represent the District as Student Trustee at statewide conferences.

automatically become the Student Trustee and will serve the full term through May 31 of the next year. Thus, the elected student representative may serve for a total of one and one-half years (half a year as the Associate Student Trustee and one year as the Student Trustee). The Associate Student Trustee shall be encouraged to attend all Governing Board meetings and all Student Trustee Advisory Council meetings. The Associate Student Trustee may also be encouraged to serve on at least one committee in which the Student Trustee is a member. The Associate Student Trustee shall not have an advisory vote but will be able to express his or her input to the Student Trustee for further consideration. The Associate Student Trustee shall not receive compensation until his or her term as Student Trustee commences.

15. Student Trustee Election Process

- a. The colleges will rotate in student representation. Effective June 1, 1990, the term of the Student Trustee shall be June 1 through May 31.
- b. Students who wish to run for elections will be required to submit the following:
 - (1) A letter of intent outlining their qualifications and reasons for seeking office;
 - (2) A resume;
 - (3) Unofficial transcripts;
 - (4) Written response to two standard questions developed by the Student Trustee Advisory Committee.
- c. Minimum eligibility will be verified by the college Student Life office.
- d. If three or fewer candidates are found to meet the minimum eligibility requirements, all candidates will be placed on the ballot for a Districtwide vote. Otherwise, if more than three candidates are found to meet the minimum eligibility requirements, a primary election will be held at the college where the rotation resides. Students of the college will select the top three candidates to be placed on a Districtwide ballot for a vote of all students in the District.

OFFICERS

16. The President shall preside at all sessions of the Governing Board, preserve order, enforce the rules, and when so authorized sign contracts, agreements, deeds, leases and other regular documents ordered to be executed by the Governing Board or required by law.
17. During any period of absence or other disability of the President, the Vice President shall perform all the duties of the President.
18. When both the President and Vice President are absent or otherwise disabled, the President pro tem shall perform all the duties of the President.
19. The Secretary shall record all minutes of the Governing Board, and shall sign the minutes of the Governing Board on approval when so authorized, and other contracts, agreements, deeds, leases and other legal documents ordered to be executed by the Governing Board or required by law.
20. The Assistant Secretaries shall perform such functions as the Governing Board directs, including service as Acting Secretary in the absence or other disability of the Secretary.

MEETINGS OF THE GOVERNING BOARD

21. Regular meetings of the Governing Board shall be open to the public, be accessible to persons with disabilities, and be held at the District Office or at a college of the District as regularly scheduled in accordance with Government Code Sections 54950 et seq. (Brown Act). A notice identifying the location, date and time of each regular meeting of the Governing Board shall be posted at least ten (10) days prior to the meeting and shall remain posted until the day and time of the meeting.

22. Special meetings may be called by the President or by a majority of the members of the Governing Board. Notice of such meetings shall be posted at least 24 hours before the time of the meeting. No business other than that indicated in the notice may be transacted or discussed.

Emergency meetings may be called by the President of the Governing Board when prompt action is needed because of actual or threatened disruption of public facilities under such circumstances as are permitted by the Brown Act, including work stoppage, crippling disasters, and other activity that severely impairs public health or safety. No closed session shall be conducted during an emergency meeting, except as provided for in the Brown Act to discuss a dire emergency. Notice of such an emergency meeting will be provided to the local news media as required by law.

23. Any regular or special meeting may be adjourned to a later time or date by majority vote of those present, provided a specific future meeting time to reconvene is set for such an adjourned meeting in accordance with the Brown Act. When no quorum appears for a regular or special meeting, by mutual agreement of Governing Board members present or the Acting Secretary, if no Governing Board members are present, a specific time may be set for an adjourned meeting. At such adjourned meetings all business may be regularly transacted which would have been proper at the meeting from which adjournment is taken, all in accordance with the Brown Act.

24. A record of all transactions of the Governing Board shall be set forth in the minute book of the Governing Board, which shall be kept on file in the District Office as the permanent official record of the District. It shall be open to inspection of the public during regular office hours. For convenience, the District will make every effort to provide the Governing Board agendas, minutes, policies and procedures on the web site.

25. A quorum necessary to the transaction of business at any meeting of the Governing Board shall consist of three members (majority) of the Governing Board, except as follows.

- a. The following actions require a two-thirds majority of all members of the Board:
 - Resolution of intention to sell or lease real property (except where a unanimous vote is required);
 - Resolution of intention to dedicate or convey an easement;
 - Resolution authorizing and directing the execution and delivery of a deed;
 - Action to declare the District exempt from the approval requirements of a planning commission or other local land use body;
 - Appropriation of funds from an undistributed reserve;
 - Resolution to condemn real property.
- b. The following actions require a unanimous vote of all members of the Board:
 - Resolution authorizing a sale or lease of District real property to the state, any county, city, or to any other school or community college district;
 - Resolution authorizing lease of District property under a lease for the production

of gas.

26. A majority vote of those Governing Board members present shall suffice for such actions as do not require a specified number of affirmative votes. In the event of a tie vote, the motion at issue shall lose.
27. A majority of the members of the Governing Board shall not, outside a regularly scheduled meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the Governing Board. This policy shall not be construed as preventing an employee or official of the District from engaging in separate conversations or communication with members of the Governing Board outside a meeting in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the Governing Board, if that person does not communicate to members of the Governing Board the comments or position of any other member or members of the Governing Board.
28. In all matters not covered by the Rules or Policies of the Governing Board, parliamentary procedures shall be governed by the most current edition of the manual known as "Robert's Rules of Order."
29. The action of the Governing Board shall be recorded in accordance with Section 72121(a) of the Education Code. A member's position on an issue or vote may be entered in the record upon the request of the member. Governing Board members' comments should be recorded immediately after the result of the vote has been announced by the President and before the introduction of a new question or issue.

ADMINISTRATIVE OFFICERS

30. The Governing Board shall employ a full-time Chancellor to serve as chief administrative and executive officer of the Contra Costa Community College District.
31. The Governing Board of the Contra Costa Community College District shall delegate to the Chancellor of the District the executive responsibility for administering the policies adopted by the Governing Board and executing all decisions of the Governing Board requiring administrative action. In the initiation and formulation of District policies, the Chancellor shall act as the professional advisor to the Governing Board.
32. The Chancellor may delegate to authorized personnel of the District any powers and duties entrusted to the Chancellor by the Governing Board, but the responsibility to the Governing Board for the execution of such delegated powers and duties shall remain with the Chancellor.
33. In situations for which the Governing Board has provided no policy for administrative action, the Chancellor shall have the power to act, but those decisions shall be subject to review by the Governing Board. It shall be the duty of the Chancellor to inform the Governing Board promptly of such action and to recommend a written Governing Board policy if one is desirable.
34. The Chancellor shall perform all duties specifically required of or assigned to the Chancellor by the Statutes of the State of California.
35. The Chancellor shall serve as First Assistant Secretary to the Governing Board, and in such capacity perform the following duties.
 - a. Prepare Governing Board meeting agendas and cause them to be posted as required by law.

- b. Prepare minutes of Governing Board meetings for approval.
 - c. Maintain an index of minutes of the Governing Board.
 - d. Attend all Governing Board meetings except the personnel session to consider the contract of the Chancellor.
 - e. Sign, where legally possible, all documents which otherwise would require the signature of a Secretary of the Governing Board.
36. The District is a large one and the diversity of the needs of the communities served by the colleges has resulted in differences in the colleges. The Governing Board is committed to the philosophy that each present and future campus can best serve by having a uniqueness which relates to its service area. To assure this development, the Governing Board recognizes the desirability of a high degree of decentralization--with the Presidents of each of the respective campuses having a large role in the planning and development of the educational program and of the internal organization of the college, and in staff selection and development. In these matters, the President shall involve the faculty. Further, it should be recognized that since uniformity in program is not sought, the Chancellor as chief executive officer of the District must provide the leadership necessary to assure this individuality and a high standard of performance on all campuses. The Chancellor is responsible for the development of proposed policies and for the application of Governing Board policies. In the development of proposed policies, the Chancellor must work closely with the Presidents and through them with various other staff members of the colleges.
37. The Governing Board is committed to proceed in an open, deliberate, and collegial manner as it develops and adopts policies that fix responsibilities and delegate authority. It recognizes that collegial decision making encourages all interested constituencies to participate in ways appropriate to their knowledge and responsibility. Actions to fix responsibilities and delegate authority will proceed in such a manner as to consider divergent opinions, engender a sense of mutual trust, and evidence a willingness to work together for the good of the District. While it is both necessary and appropriate that the Governing Board retain first authority on the nature and extent of any delegation of its responsibilities, the Governing Board will arrive at such decisions only after a sincere attempt to reach an accommodation that is sensitive to the concerns of interested constituencies.
38. The Chancellor, Presidents, and designated District Office staff will serve as a Chancellor's Cabinet, which reviews major policy questions before they are presented to the Governing Board for action. The Chancellor's Cabinet will also review procedures before they are issued.
39. The uniqueness of the respective campuses and the decentralization of responsibility for many matters should not suggest that each is its own master. It does suggest, however, that the Chancellor must value uniqueness and leadership on the respective campuses while achieving excellence in program and staff, implementing State law and Governing Board policies, and securing the effective allocation of certain curricula to the colleges. The Chancellor should recognize this as an opportunity for leadership in working with others to develop a system which encourages colleges of excellence, each with a distinctive flavor. The Governing Board also expects the colleges to cooperate fully with each other in managing Districtwide issues and policies.
40. The President of each of the colleges shall be responsible to the Chancellor for the development of all aspects of the program on the campus, and for the administration of the college in accordance with State law, the policies adopted by the Governing Board, and administrative policies and procedures of the District. The Presidents shall serve as members of the

Chancellor's Cabinet which shall consider policies to be recommended to the Governing Board, and shall review proposed administrative policies and procedures. Through service on the Chancellor's Cabinet, each President shall assume responsibility for service to the total District as well as to the college. The Presidents will normally be expected to attend meetings of the Governing Board, and at such meetings at the request of the Chancellor to make presentations or to supply additional data regarding issues under consideration. It is understood that the Governing Board will work with the Presidents only through the Chancellor.

REPORTS AND RECOMMENDATIONS

41. The Chancellor shall transmit all reports and recommendations, including an agenda, to each member of the Governing Board at least seventy-two (72) hours prior to the scheduled meeting of the Governing Board, except as provided in paragraph 442 below.
42. Whenever it is necessary to submit any report or recommendation to the Governing Board without meeting the requirement of paragraph 401 above, said report or recommendation must carry as part of its title, in addition to the regular number, the plainly typed phrase, "Waiver of Provisions, Paragraph 401 of Governing Board Rules and Regulations requested."

CONDUCT OF HEARINGS--CLASSIFIED EMPLOYEE *DISCIPLINARY ACTION* APPEALS

43. General Rules
 - a. The presiding officer or his/her designee shall conduct the hearing and rules on questions concerning evidence and procedure.
 - b. The employee and the administration may be represented, may call witnesses, may introduce evidence, may testify, and may question adverse witnesses.
 - c. Unless the employee demands a public hearing, the matter may be heard in executive session.
 - d. Evidence must be relevant, noncumulative, and of such nature as responsible persons are accustomed to rely on in the conduct of serious affairs.
 - e. The administration has the burden of proof.
 - f. The hearing will be recorded by the District.
44. Order of Proceedings

The hearing shall proceed in the following manner, unless the presiding officer otherwise directed:

 - a. The notice of disciplinary action and the hearing request shall be made part of the record. The administration, and then the employee, may state their positions, but the employee may wait until after the administration has presented its evidence.
 - b. The administration presents witnesses and evidence, subject to examination by the employee.
 - c. The employee presents witnesses and evidence, subject to examination by the administration.
 - d. The employee may be called as a witness by the administration.

- e. The parties respectively may offer rebuttal evidence.
- f. When the evidence is concluded, the administration and then the employee may briefly comment on the evidence.

45. Decision

- a. The Governing Board may make its decision at the hearing or take the matter under consideration for decision at a specified future time.
- b. If the Governing Board upholds a disciplinary action, it shall state the facts which it finds to be true and upon which its decision is based. It may direct the Chancellor to submit a proposed statement of facts for consideration by the Governing Board.
- c. The Governing Board's decision shall be expressed in writing and copies provided to the employee and to the administration.

46. Hearing Officer

- a. The Governing Board may refer the matter to a Hearing Officer for hearing and recommended decision.
- b. After hearing, the Governing Board may adopt the Hearing Officer's recommended decision in whole or in part, refer the matter for further hearing, or hear the matter itself either *de novo* or on the record of the proceedings before the Hearing Officer.

SUSPENSION OF RULES AND POLICIES

47. The Rules and Regulations of the Governing Board may be suspended for any meeting of the Governing Board by an affirmative vote of all members present, except the section covering a quorum, or any Rules based upon the California Education Code or other statutes.
48. The Rules and Regulations of the Governing Board may be amended at any regular meeting, or any special meeting, when properly placed on the agenda and approved by three affirmative votes.