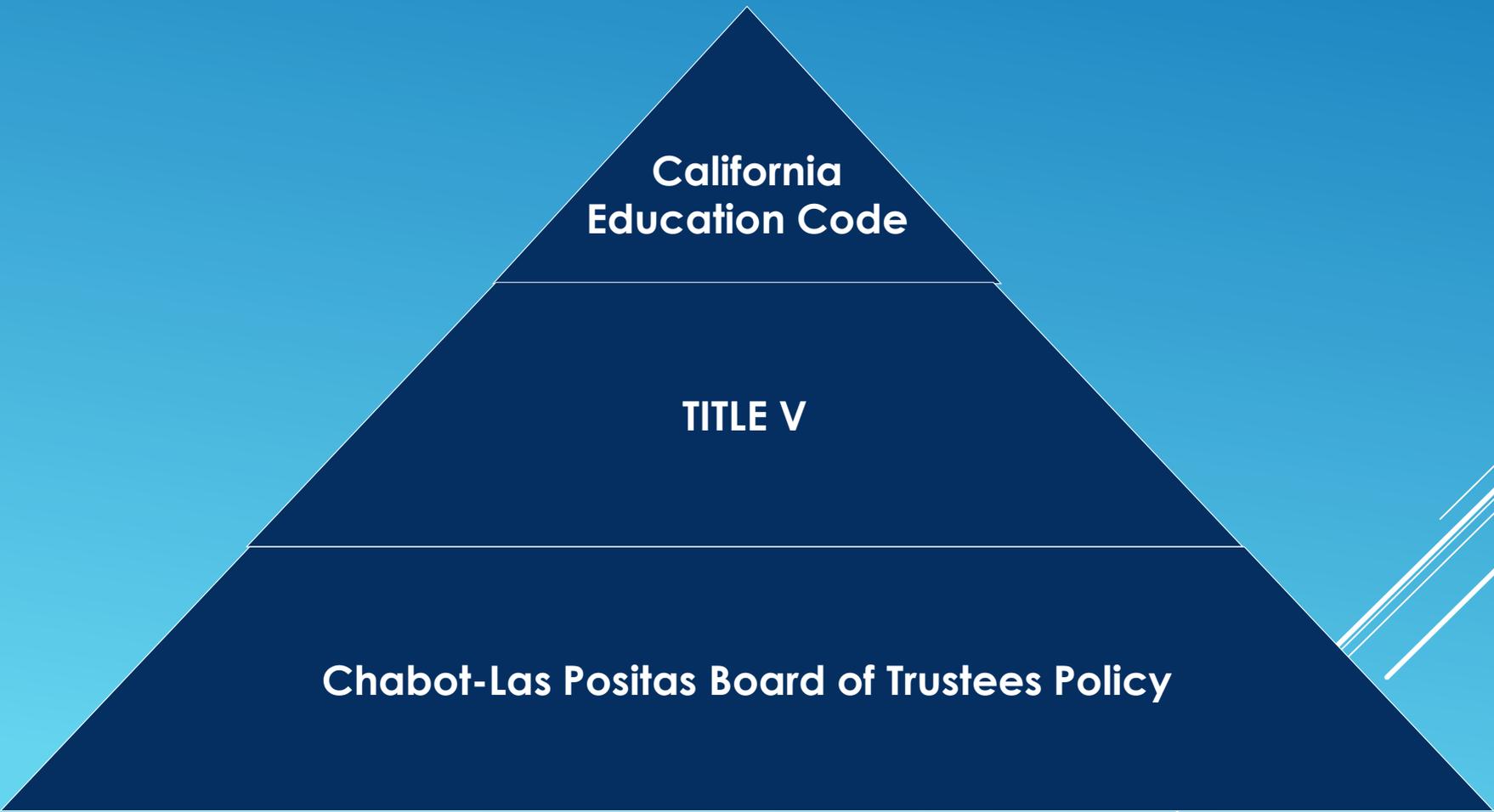


2023 SENATE ORIENTATION



ACADEMIC SENATE
for CALIFORNIA
COMMUNITY COLLEGES

THE SHARED GOVERNANCE STRUCTURE



California
Education Code

TITLE V

Chabot-Las Positas Board of Trustees Policy

THE CALIFORNIA EDUCATION CODE

- ▶ Laws which can only be changed through legislative action



EXAMPLE: ED CODE 70900

There is hereby created the California Community Colleges, a postsecondary education system consisting of community college districts heretofore and hereafter established pursuant to law and the Board of Governors of the California Community Colleges. The board of governors shall carry out the functions specified in Section 70901 and local districts shall carry out the functions specified in Section 70902.

TITLE V



- ▶ The Statewide Board of Governors' interpretations of California Ed Code and subsequent policies for its implementation
- ▶ They have the force of law, although they are occasionally modified by the BOG

TITLE V SECTION 53200

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



“ACADEMIC AND PROFESSIONAL MATTERS” (OR 10+1)

**MEANS THE FOLLOWING POLICY DEVELOPMENT
AND IMPLEMENTATION MATTERS:**

- 1) Curriculum, including establishing prerequisites and placing courses within disciplines**
 - 2) Degree and certificate requirements**
 - 3) Grading policies**
 - 4) Educational program development**
- 

10+1 CONTINUED

- 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
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10+1 CONTINUED

8) Policies for faculty professional development activities

9) Processes for program review

10) Processes for institutional planning and budget development

+1 Other academic and professional matters mutually agreed upon between the governing board and the academic senate

CONSULT COLLEGIALLY

- ▶ *Rely primarily upon* (the recommendations of the Academic Senate)

Or

- ▶ *Mutually agree* (the Board or its designee and the academic senate shall reach mutual agreement by written resolution, regulation, or policy effectuating such recommendations)

CHABOT-LPC BOARD POLICY

- ▶ The Board will *rely primarily upon* the Academic Senate for:
 - ▶ Curriculum, including establishing prerequisites and placing courses in disciplines
 - ▶ Degree and certificate requirements
 - ▶ Grading policies
 - ▶ Faculty roles and involvement in accreditation processes including the self study and the annual reports
- 

CHABOT-LPC BOARD POLICY

- ▶ The Board will *reach mutual agreement with* the Academic Senate regarding:
 - ▶ Educational program development
 - ▶ Standards and policies regarding student success
 - ▶ District and college governance structures as related to faculty roles
 - ▶ Policies for faculty professional development activities
 - ▶ Process for program review
 - ▶ Process for institutional planning and budget development
- 

1-3: CURRICULUM, DEGREE AND CERTIFICATE REQUIREMENTS, GRADING POLICIES

The LPC Curriculum Committee (a subcommittee of the LPC Academic Senate) has Senate approved procedures for curriculum and program development. The Board of Trustees typically approve all curriculum as informational items (they do not discuss, but rely primarily upon our expertise). We do not currently have a process to standardize curriculum across the campuses.

APPROVED

APPROVED

7: ACCREDITATION SELF STUDY AND ANNUAL REPORTS

The LPC Senate appoints faculty leads to each step of the accreditation process in consultation with the College President. College Council oversees Accreditation. The District ESS Committee oversees the process from a district level, but only the colleges are accredited.



4: EDUCATIONAL PROGRAM DEVELOPMENT

We use the Curriculum Committee, and at times, the Planning Committee, for generating new programs, the Senate approves new programs, and collaborate with Administration and CEMC for FTEF.



5: STANDARDS AND POLICIES REGARDING STUDENT SUCCESS

Committees include
Distance Education,
Student Equity and
Achievement, Student
Learning Outcomes....
And various task forces at
any given time!



6: DISTRICT AND COLLEGE GOVERNANCE STRUCTURES AS RELATED TO FACULTY ROLES

We have both a College Council and a Chancellor's Council which bring together governing bodies for participatory discussions related to various college and district wide structures. We will be evaluating the District governance structure this Fall.



9: PROCESS FOR PROGRAM REVIEW

Our Program Review Committee provides guidance for both writing and evaluating self assessments for the various academic and support programs.



10: PROCESS FOR INSTITUTIONAL PLANNING AND BUDGET DEVELOPMENT

LPC has 5 committees that flow into our Planning and Budget Cycle

- ▶ the Budget Committee
- ▶ IPC (Institutional Planning Committee)
- ▶ RAC (resource allocation)
- ▶ Faculty Hiring Prioritization
- ▶ CEMC (Enrollment management)



with College Council having oversight. At the District Level we have DEMC (District Enrollment Management) and PBC (Planning and Budget)

SUBCOMMITTEES OF THE SENATE

- ▶ Curriculum
 - ▶ Program Review
 - ▶ Distance Education
 - ▶ Faculty Hiring and Prioritization
 - ▶ Student Equity and Achievement (SEA)
 - ▶ Student Learning Outcomes (SLO)
 - ▶ Professional Development
- 

COLLABORATION WITH PARTICIPATORY GOVERNANCE COMMITTEES

- ▶ Chancellors Council
 - ▶ College Council
 - ▶ College and District Enrollment Management
 - ▶ Planning & Budget
- 

THE BROWN ACT: LEGISLATIVE BODIES

“All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as otherwise provided in this chapter.”
-GC Section 54953(a)

WHAT ABOUT OUR ACADEMIC SENATES?

- *Title 5, section 53202* establishes the procedures for the formation of an academic senate.
 - The steps include a vote of the faculty, plus certain actions by the district board after the faculty vote (recognition of the senate, authorization for faculty to establish structures and procedures, etc.).
 - “The legally mandated joint action to be taken by the faculty of a community college and a district board in establishing an academic senate constitutes the requisite “formal action” contemplated by [the Brown Act].”
- Attorney General Opinion No. 83-304 (1983)

APPOINTED BODIES – STANDING COMMITTEES

- Standing Committees of a legislative body are **ALWAYS** subject to the Brown Act.
 - Standing committees, irrespective of composition, which have either: (1) a continuing subject matter jurisdiction, or (2) a meeting schedule fixed by resolution or formal action of the legislative body.
- **Examples:** long-term committees on budgets, transportation, professional development, or curriculum.

APPOINTED BODIES – TEMPORARY ADVISORY COMMITTEE EXCEPTION

- **Ad Hoc:** “Made or happening only for a particular purpose or need.”
- A temporary advisory committee **composed solely of less than a quorum** of the legislative body that serves a limited or single purpose, that is not perpetual, and that will be dissolved once its specific task is completed is not subject to the Brown Act.

Examples: 4 person Committee to revise Bylaws, 2 person election committee, 3 person committee to write vote of no confidence

WHAT IS A “MEETING?”

- “Any congregation of a majority of the members of a legislative body at the same time and location to hear, discuss, deliberate, or take action upon any item that is within the subject matter

jurisdiction of the legislative body.”
- GC Section 54952.2(a)

- The Brown Act is not limited to “meetings” where a final decision is made!
 - “HEAR”
 - “DISCUSS”
 - “DELIBERATE”



SERIAL MEETINGS



- “A majority of the members of a legislative body shall not...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 legislative body.”
- ▶ - GC Section 54952.2(b)(1)
- Common Types of Serial Meetings:
 - Daisy Chain
 - Hub and Spoke
 - Email

MEETINGS – EXCEPTIONS TO THE RULE

- **Individual Contacts**

- But beware of the serial meeting!



- **Social or Ceremonial Occasions**

- So long as business of the state body is not discussed

- **Conferences**

- So long as they are open to the public and involve subject matter of general interest to the public

- **Meetings of Another Legislative Body**

- The meeting must be open to the public and properly noticed

BROWN ACT KEY REQUIREMENTS

- Agenda posted 72 hours in advance
- All member locations are on agenda and posted
- Specify the time and location of the meeting
 - Posted in a location that is freely accessible to members of the public and on the website (if there is one)
- ADA-compliant at all access points
 - Provide opportunities for members of the public to attend and address the legislative body
- Only deliberate on items on the agenda
 - Publicly report any action is taken and vote of each member present (roll call vote if any members are remote)

SPECIAL MEETINGS (GOV CODE §54956)

- Agenda posted 24 hours in advance
- Specify time and location of meeting
- Posted in a location that is freely accessible to members of the public and on committee website (if there is one)
- Special meetings should be used for special circumstances and not clerical or posting errors

TELECONFERENCE MEETINGS (BROWN ACT CLASSIC RULES)

- Agendas must identify each teleconference location and be posted at each location.
- Each location must be open and accessible to the public and allow for public participation.
 - Example: Hospital bed
 - Example: No participation by cell phone in car
- Agenda must provide an opportunity for public comment from each teleconference location.
- At least a quorum of the legislative body must participate from locations within the local agency's jurisdiction.
- All votes must be audible and taken by **roll call**.

AB 2449 – LIMITED REMOTE PARTICIPATION FOR MEMBERS IN EFFECT UNTIL JAN 1, 2026

- AB 2449 does not allow for fully virtual Brown Act meetings.
- At least a quorum must be participating from a singular physical location identified on the agenda and open to public.
- No need to post remote locations and open them to the public (“classic” Brown Act teleconference rules).
- Must disclose all people 18+ in the location

AB 2449 – LIMITED REMOTE PARTICIPATION FOR MEMBERS (1)

- An individual member must notify the full membership of the body that either “just cause” or “emergency circumstances” exit for their remote participation.
 - **Just Cause** includes caring for a family member, contagious illness, a need related to a physical or mental disability, or travel while on business of the legislative body.
 - **Emergency Circumstances** require the member to provide a description of the circumstances, and the body must take action to approve (a vote of the membership).

AB 2449 – LIMITED REMOTE PARTICIPATION FOR MEMBERS (2)

- **Limitations:**

- An individual member may only utilize the just cause exception up to two meetings per calendar year.
 - An individual member may not participate in meetings remotely under AB 2449 for more than three consecutive months, or 20% of the body's regular meetings in a calendar year.
-
- If there is an internet disruption to an AB 2449 meeting, no further action may be taken on an agenda item until the issue is resolved.

GOALS FOR THIS YEAR?

- Engage faculty to understand professional development needs to increase equity in student retention and success (persistence project activities?)
- Equity for part timers
- Create common syllabus
- Recruit more diverse faculty
- ???

Bring your ideas to the Academic Senate meeting next
Wednesday at 2:30 in 1687