



**Academic Senate**  
for California Community Colleges  
LEADERSHIP. EMPOWERMENT. VOICE.

# The “10+1” and Working with Your Local Academic Senate

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# Overview

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Vice President

- California Education Code – Role of Academic Senate
- California Code of Regulations – Role of Academic Senate
- Working with your Academic Senate
- Questions...

Lots of information in the next slides,  
keep them for reference.



## Education Code §70902 (b)(7)

Establish procedures...to ensure faculty, staff, and students the opportunity to express their opinions at the campus level, to ensure that these opinions are given every reasonable consideration, to ensure the right to participate effectively in district and college governance, and to ensure the **right of academic senates** to assume **primary responsibility** for making recommendations in the areas of **curriculum** and **academic standards**.



# Collegial Consultation

## Title 5 §53200 – Definitions “The 10+1”

- a) “Faculty” means those employees of a community college district who are employed in positions that are not designated as supervisory or management for the purposes of Article 5 (commencing with Section 3540) of Chapter 10.7 of Division 4 of Title 1 of the Government Code, and for which minimum qualifications for hire are specified by the Board of Governors.
- b) “**Academic senate**,” “faculty council,” and “faculty senate” means an organization formed in accordance with the provisions of this Subchapter whose **primary function**, as the representative of the faculty, is to **make recommendations to the administration of a college and to the governing board of a district with respect to academic and professional matters**. For purposes of this Subchapter, reference to the term “academic senate” also constitutes reference to “faculty council” or “faculty senate.”

# Collegial Consultation

## Title 5 §53200 – Definitions “The 10+1”

c) “Academic and professional matters” 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;
- 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.

# Collegial Consultation

## Title 5 §53200 – Definitions “The 10+1”

- 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.

# Collegial Consultation

## Title 5 §53203 – Powers

- a) Governing Board shall adopt policies delegating authority and responsibility to its Academic Senate and requires **collegial consultation**.
- b) Policies in (a) shall be adopted through **collegial consultation** with the Academic Senate.
- c) Guarantees the Academic Senate the right to meet with or appear before the board while in the process of **consulting collegially**.

# Collegial Consultation

## **Title 5 §53203 – Powers**

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





# Collegial Consultation

## Title 5 §53203 – Powers

### 1. When *Rely Primarily*:

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.

# Collegial Consultation

## Title 5 §53203 – Powers

### 2. When *Mutually Agree (and agreement has not been reached)*:

- Existing policy shall remain in effect except in cases of legal liability or fiscal hardship.
- Board may act, after a good faith effort to reach agreement, only for **compelling legal, fiscal, or organizational reasons**.

# Collegial Consultation

## Important Notes

- The Governing Board has final say.
- The Governing Board is never prohibited from acting.

### “Exceptional circumstances” and “compelling reasons”

These terms mean that ... in instances where a recommendation is not accepted the reasons for the board’s decision must be in writing and based on a clear and substantive rationale which puts the explanation for the decision in an accurate, appropriate, and relevant context.

(From *Participating Effectively in District and College Governance*, ASCCC/CCLC, Fall 1998)

**VS**

“compelling legal, fiscal, or organizational reasons”

# Collegial Consultation

## Title 5 §53203 – Powers

- 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.

NOTE: Consultation is **not** the same as Collegial Consultation!

# Collegial Consultation

## Title 5 §55002

- I) Curriculum Committee. The college and/or district curriculum committee recommending the course shall be established by the **mutual agreement** of the college and/or district administration and the academic senate. The committee shall be either a committee of the academic senate or a committee that includes faculty and is otherwise comprised in a way that is **mutually agreeable** to the college and/or district administration and the academic senate.

# Collegial Consultation

## Title 5 §53430 - Equivalencies

- b) The process, as well as criteria and standards by which the governing board reaches its determinations regarding faculty, shall be developed and **agreed upon jointly** by representatives of the governing board and the academic senate, and approved by the governing board. The agreed upon process shall include reasonable procedures to ensure that the governing board **relies primarily upon** the advice and judgment of the academic senate to determine that each individual faculty employed under the authority granted by this Section possesses qualifications that are at least equivalent to the applicable minimum qualifications specified in this Division.

# California Education Code

Uses "agreed upon jointly" and "relies primarily":

- Equivalence to the minimum qualifications (Equivalency) - Ed Code §87359
- Faculty hiring processes – Ed Code §87360
- Administrative retreat to faculty (determining minimum qualifications areas) – Ed Code §§ 87454 and 87458



# Working with Your Academic Senate

1. Attending Academic Senate meetings – Academic Senates must follow Brown Act
2. The Academic Senate President's Signature
3. Appointing faculty to committees, taskforces, work groups, and such
4. Curriculum
5. Diversity, Equity, and Inclusion
6. Others...



# Questions?

## Perception vs. Reality

