

AP 2510 Participation in Local Decision-Making

Reference:

*Education Code Section 70902(b)(7);
Title 5, Sections 53200 et seq.; 51023.5 and 51023.7;
ACCJC Accreditation Standards 4.2 and 4.3*

Staff

Staff shall be provided with opportunities to participate in the formulation and development of district policies and procedures, as well as in those processes for jointly developing recommendations for action, that have or will have a significant effect on staff.

Prior to the Board of Trustees taking action on such matters, staff will be provided with the opportunity to participate in the formulation and development of those matters through appropriately determined procedures and committee participation as described in the *Taft College Governance Guide*.

The Board shall give every reasonable consideration to recommendations and opinions of staff.

Procedures for Participation

The following procedures are provided to enable meaningful participation by staff in the college governance process:

1. Participation by staff in college governance will be facilitated primarily through the college's committee and Governance Council structure which is constituted to be representative of all employee segments in the district.
2. The selection of staff representatives to serve on college and district task forces, committees (with the exception of hiring committees) or other governance groups shall, when required by law, be made by those councils, committees, employee organizations or other staff groups that the governing board has officially recognized in its policies and procedures, and as outlined in the *Taft College Governance Guide*.

3. Major recommendations of individual committees (excluding those within the purview of the Academic Senate under AB1725), that have implications for the larger college community will be forwarded to Governance Council for review and consideration.

Scope of Regulations

1. In developing and carrying out policies and procedures pursuant to these regulations, the 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.
2. Procedures for staff participation shall not intrude on matters within the scope of representation under Section 3543.2 of the Government Code.
3. In addition, the Governing Board 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 or employer-employee relations.
4. Nothing in this section shall be construed to impinge upon or detract from any negotiations or negotiated agreements between exclusive representatives and district governing board.
5. It is the intent of the Governing Board 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.

Faculty

Faculty shall be provided with opportunities to participate in the formulation and development of District and College policies and procedures in areas as specified by Title V {Subsection 53200 c.} and designated as "Academic and Professional Matters."

"Rely Primarily On"

1. Those areas in which the Board of Trustees will "rely primarily on" the advice and judgment of the Academic Senate include:
 - A. The determination of degree and certificate requirements;
 - B. The development of curriculum, including the establishment of prerequisites and planning of course disciplines;
 - C. The establishment of policies, procedures and programs for faculty professional development activities;
 - D. The establishment and review of grading policies;
2. In the above areas, the recommendation of the Academic Senate will normally be accepted. Only in exceptional circumstances for compelling reasons will the recommendations not be accepted.
3. When the Board of Trustees does not wish to accept the advice of the Academic Senate on these matters, the Board (or its designee) will send a written communication to request that the Academic Senate reconsider the recommendation(s) taking into consideration the consensus and issues raised by the Board of Trustees.
4. If, upon consideration, the Academic Senate does not change its original recommendation, and, if it is the opinion of the Board that compelling legal, fiscal, or organizational reasons still exist, the Board may reject the advice of the Academic Senate.
5. This being the case, the final determination with rationale will be communicated to the Academic Senate in writing.

“By Mutual Consent”

1. Areas specified by Title 5 (Subsection 53200 c.) as “Academic and Professional Matters” where the Board of Trustees and the Academic Senate obligate themselves to reach mutual agreement include:
 - A. The development of new educational programs;

- B. Standards or policies regarding student preparation and success;
 - C. District governance structures, as related to faculty roles;
 - D. Faculty roles and involvement in the accreditation process, including self-study and annual reports;
 - E. Processes for program review;
 - F. Processes for institutional planning and budget development;
 - G. Other academic and professional matters as are mutually agreed upon between the governing board and the Academic Senate.
2. Mutual Agreement process
- A. The Academic Senate, or Superintendent/President identifies issues or problems with existing Board Policy. When the Superintendent/President or the Academic Senate seeks to consult collegially, the party seeking consultation shall initiate consultation in writing (email is acceptable). The parties shall then collegially consult in accordance with Board Policy 2510, Administrative Procedure 2510 and the participatory governance process described in the *Taft College Governance Guide*. The parties will strive to develop mutually agreed upon recommendations to the governing board regarding policies.
 - B. Issues requiring resolution or the formation of new policies are defined in the governance roles/responsibilities described the *Taft College Governance Guide*. Responsible parties for writing a document or policy are defined by Board Policy/ Administrative Procedure 2510, and Board Policy/Administrative Procedure 2410.
 - C. The finished document or policy is reviewed by the Academic Senate in accordance with Board Policy/Administrative Procedure 2410 and the *Taft College Governance Guide*.

- D. The Superintendent/President presents the document or policy recommendation to the Board of Trustees for final approval. The Academic Senate President also has the opportunity to address the Board.

- E. After reasonable collegial consultation, if the parties cannot reach mutual agreement on an academic or professional matter where the Board has designated “By Mutual Consent”, alternative recommendations may be brought before the Board. If there is no existing policy and the parties cannot reach mutual agreement, the Board of Trustees may act if there are compelling legal, fiscal, or organizational reasons to do so.

The Board of Trustees may act without reaching mutual agreement with the Academic Senate only in cases of compelling legal, fiscal, or organizational reasons as described in Title 5, Section 53203, and will provide an explanation of those reasons.

Students:

The Associated Students shall be given an opportunity to participate effectively in the formulation and development of district policies and procedures that have a significant effect on students, as defined by law. The recommendations and positions of the Associated Students will be given every reasonable consideration.

Procedures for Participation:

The selection of student representatives to serve on district committees or task forces shall be made after consultation with the Associated Students.