



**ACADEMIC SENATE**  
for California Community Colleges  
LEADERSHIP • EMPOWERMENT • VOICE

# 10 +1 Senate Purview and Collegial Consultation

Adaptation of ASCCC Presentation  
for LRCCD Board of Trustees, June 2023

# Learning Outcomes

*by the end of this presentation you will be able to:*

- understand how the LRCCD District Academic Senate defines collegial consultation.
- recognize what collegial consultation is and what it is not.
- identify methods of determining when and how collegial consultation has occurred.



# Legal Recognition of Academic Senates

- California Education Code
  - California Code of Regulations (Title 5)
    - District Board Policies and Regulations/Procedures



# California Education Code

- 70901: [The CCC BOG shall establish] Minimum standards governing procedures established by governing boards of community college districts to ensure faculty, staff, and students the right to participate effectively in district and college governance, and the opportunity to express their opinions at the campus level and to ensure that these opinions are given every reasonable consideration, and the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards.
- 70902: [The CCC district governing board shall establish] procedures that are consistent with minimum standards established by the board of governors to ensure faculty, staff, and students the opportunity to express their opinions at the campus level, to ensure that these opinions are given every reasonable consideration, to ensure the right to participate effectively in district and college governance, and to ensure the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards.



# Title 5 (California)

## Title 5: § 53203

- The governing board shall adopt policies for appropriate delegation of authority and responsibility to its academic senate.
- ...providing at a minimum the governing or its designees
- **consult collegially** with the academic senate when adopting policies and procedures on academic and professional matters.



## Consulting Collegially (ASCCC)

- Consult collegially means that the district governing board shall develop policies on academic and professional matters through either or both of the following:
  - rely primarily upon the advice and judgment of the academic senate, or
  - reach mutual agreement between the governing board/designee and the academic senate/designee



## Los Rios P-3421

1.4 “Consult collegially” means the Board of Trustees shall adopt policies on academic and professional matters through either or both of the following methods, according to its own discretion:

- 1.4.1 Relying primarily upon the advice and judgment of the District Academic Senate; or
- 1.4.2 Agreeing that the Board of Trustees, or designee, and the representatives of the District Academic Senate shall have the obligation to reach mutual agreement by written resolution, regulation, or policy of the Board of Trustees effectuating such recommendations.



## Rely Primarily (ASCCC)

- Recommendations of the Senate will normally be accepted
- Only in exceptional circumstances and for compelling reasons will the recommendations not be accepted
- If not accepted, board/designee communicate its reasons in writing if requested
- Title 5 53200





## Los Rios P-3421 – Rely Primarily

- 2.5 In instances where the Board of Trustees elects to rely primarily upon the advice and judgment of the District Academic Senate, the recommendations of the District Academic Senate shall normally be accepted, and only in exceptional circumstances and for compelling reasons shall the recommendations not be accepted. **If a recommendation is not accepted, the Board of Trustees, or designee, upon written request of the District Academic Senate, shall promptly communicate its reasons in writing to the District Academic Senate.**



# Los Rios P-3421 – Rely Primarily Matters

- 2.7 On the following District-level academic and professional matters, the Board of Trustees agrees to “rely primarily” on the District Academic Senate:
  - 2.7.1 **Curriculum**, including establishing prerequisites and placing courses within disciplines;
  - 2.7.2 **Degree and certificate requirements;**
  - 2.7.3 **Grading policies;**
  - 2.7.4 Standards or policies regarding **student preparation and success;**
  - 2.7.5 Faculty roles and involvement in the **accreditation process**, including Self Study Reports and annual reports;
  - 2.7.6 Policies **for faculty professional development activities;** and
  - 2.7.7 Processes for **program review.**



## Mutual Agreement (ASCCC)

- If agreement is not reached, existing policy remains in effect unless it exposes the district to legal liability or substantial fiscal hardship.
- If no policy or existing policy creates exposure to legal liability or substantial fiscal hardship the board may act if agreement is not reached: if a good faith effort first or for compelling legal, fiscal or organizational reasons.

## Los Rios P-3421 - Mutual Agreement

2.6 In instances where the Board of Trustees elects to provide for mutual agreement with the District Academic Senate, and agreement has not been reached, existing policy shall remain in effect unless continuing with such policy exposes the District or its Colleges 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 Board of Trustees may act, after a good faith effort to reach agreement, but only for compelling legal, fiscal, or organizational reasons.

# Los Rios P-3421 - Mutual Agreement Matters

2.8 On the following District-level academic and professional matters, the Board of Trustees agrees to “reach mutual agreement:”

- 2.8.1 **Educational program development;**
- 2.8.2 District/College(s) **governance structures**, as related to faculty roles;
- 2.8.3 Processes for **institutional planning and budget development;** and
- 2.8.4 Other academic and professional matters as mutually agreed on by the Board of Trustees and the District Academic Senate.

# Los Rios: other matters

3.4 Other academic and professional matters: These matters will be restricted to the following area: If the District Academic Senate or the Board of Trustees or its representatives believe that **the formation of a new District standing committee is required to address any of the academic and professional matters**, then the District Academic Senate and the representative of the Board of Trustees will consult in order to determine whether the committee shall be formed and what its charge shall be. If agreement between the District Academic Senate and the Board of Trustees' representative cannot be reached, then the two (2) respective positions will be forwarded to the Board of Trustees for final determination.

3.5 At its discretion, the Board of Trustees or its representative **may assign additional areas of responsibilities to the District Academic Senate which have been determined by mutual agreement to lie within the academic and professional matters.**

# Where is Hiring in the 10+1? (ASCCC)

- **It's not!**

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

- **It's in Ed Code 87360: ...hiring criteria, policies, and procedures for new faculty members shall be developed and agreed upon jointly by representatives of the governing board, and the academic senate, and approved by the governing board.**

# What about IDEAA (Inclusion, Diversity, Equity, Accessibility & Anti-Racism) in the 10+1?

## **Curriculum and the Course Outline of Record**

- Course Descriptions
- Student and Course Learning Outcomes
- Grading Processes
- Textbook and Supplemental Materials
- Incorporating IDEAA in Curriculum

## **Diverse Representation in Department/College/Districtwide Committees**

- Local Senate Committee Assignments
- Screening/Hiring Committees
- Discipline/Department Committee Assignments
- Diversifying Academic Senate Leadership

## **Dedicate funding to Professional Development/Instruction With an IDEAA Focus**

- Statewide Initiatives
- Title III and V Grants
- Faculty Grants

## **Include IDEAA-based criteria in Program Review**

- College Mission and Values
- Institutional Learning Outcomes
- Diverse Representation in Program Review Committee
- Supporting Department-wide efforts in IDEAA



# Typical Areas under the 10 + 1 (not an exhaustive list)

- Curriculum/Program- Creation, review and discontinuance
- Any Requisites (pre/co)
- Academic Standards Reviews
- Degree and Certificate Requirements
- Grading Policies (including EW or other grades)
- Placement Policies
- Planning and Budgeting Processes
- Equivalencies
- Faculty Evaluations (input)
- Review of BP and APs related to the 10+1
- Accrediation participation including self study
- Governance Structures/Committee structures
- Faculty appointments to committees and search committees
- Professional Development and Flex
- Credit for Prior Learning (CPL)
- Student Support Services
- Processes for faculty hiring

# How do we consult collegially?

## Los Rios P-3421

- 2.4 The Board of Trustees, or designee, shall consult collegially with the District Academic Senate when adopting policies and procedures on academic and professional matters. **Formal recommendations from the District Academic Senate shall be presented by the President of the District Academic Senate**
  - **in writing to the Chancellor's Cabinet or**
  - **in regular meeting reports to the Board of Trustees.**

# Limitations:

- 4.1 Recognizing that the work of the District must continue against a background of timelines and deadlines produced by legislation, state and federal agencies and the general welfare of its primary clients, the District Academic Senate affirms that the
  - **Board of Trustees clearly retains the right to act without the benefit of recommendation if the responsible recommending body fails to perform or fails to perform in a reasonably timely way.**
  - The District Academic Senate also recognizes that **effective shared involvement in the District/College(s) decision making processes depends on the willingness and ability of all affected parties to share vital information in a timely and useable way.**

# NOT collegial consultation

- Just sharing information
- Information items on meeting agendas
- Working closely with individual faculty members
- Discipline-specific meetings
- Conversations with individuals
- Conversations with constituency leaders without opportunity to bring items back constituency for formal action
- Information disseminated verbally from administration to AS Presidents
- Informal gatherings where discussions include governance or decision making
- Decisions made without opportunity for formal input from constituencies
- Providing written reports on decisions that have already been made
- Ensuring compliance

# Application 1: DAS Collegial Consultation Report F'22

<p><b>Dual Enrollment Regulation draft</b></p>	<p>#4 Educational program development &amp; #5 Standards or policies regarding student preparation &amp; success</p>	<p><b>Collaboration with a DESSC sub-committee, vetting with DESSC, Presentations &amp; discussion at DAS, College Academic Senate vetting, recommendation sought at Chancellor's Cabinet</b></p>	<p>At November Chancellor's Cabinet, additional time was requested and granted for recommendation of draft regulation. Will return to Dec Cabinet seeking recommendation.</p>	<p><b>Good consultation</b></p>
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<p><b>Convocation F22 modality</b></p>	<p>#8. Policies for faculty professional development activities</p>	<p><b>DAS President initiated phone calls with Deputy Chancellor during summer</b></p>	<p>Modality changed from mandatory on-ground to a remote option</p>	<p><b>No consultation</b></p>
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# Application 2: Collegial Consultation by Workgroup

## **Good Consultation +**

- ✓ **Faculty appointed by Academic Senate**
- ✓ **Recommendations documented**
- ✓ **Reports recommendations to Academic Senate**
- ✓ **Academic Senate affirms/supports recommendations by vote**
- ✓ **Recommendations recorded in Academic Senate minutes**

## **No Consultation -**

- ✓ **Faculty self-appointed or designated by administration**
- ✓ **Recommendations discussed**
- ✓ **Implementation**

# Application 3: Collegial Consultation by Committee / Cabinet Meeting

## Good Consultation +

- ✓ Item appears on agenda as a discussion item or first reading
- ✓ Item has supporting documentation that can be shared/disseminated beyond the committee
- ✓ Committee members bring item back to their constituents
- ✓ Adequate time is allowed for vetting with constituents
- ✓ Item returns to agenda as decision item or second reading
- ✓ Recommendation on item is sought by committee Chair
- ✓ Written recommendations are documented in meeting minutes

## No Consultation -

- ✓ Item appears on agenda as information item (or no notation)
- ✓ Item is presented as confidential or otherwise not ready for discussion outside the meeting
- ✓ Item is not written/ does not contain supporting documentation
- ✓ Item is discussed generally without soliciting or providing

## In short

Collegial consultation requires:

- **FORMAL action** conducted at meetings
- **WRITTEN recommendations** documented in minutes
- Built on establishing **PATTERNS** of trust & mutual accountability



# Los Rios District Academic Senate Resolution – Collegial Consultation (Fall 2019)

- RESOLVED, the LRCCD Academic Senate urges the LRCCD Chancellor and Vice Chancellor of Education and Technology to continue to work with the LRCCD Academic Senate to
  - **develop and implement**
  - **a system of mutual accountability**
  - **with clear and measurable criteria**
  - to **ensure that collegial consultation** on academic and professional matters is occurring **consistently**

# Clear and Measurable Criteria (DAS: Spring 23)

## Collegial Consultation Checklist

- Item appeared on a governance group's agenda at first reading
- Item was presented with supporting documentation in a form that can be brought back to constituents
- Item was reviewed/vetted by constituents with opportunity for feedback
- Constituent feedback was acknowledged/recorded by recommending body
- Written recommendation was submitted

# Questions

