

COLLEGE OF THE SISKIYOU

Procedure Manual

Title: Participation in Local Decision Making

Adoption Date: October 7, 2008

Revision Date: January 24, 2012; January 20, 2015; February 24, 2015;
April 26, 2016; **XXXXXX**

Responsible Area: Superintendent/President

Responsible Office: President's Office

Policy Reference: BP 2510, Education Code Section 70902(b)(7); Title 5 Sections 53200 et seq, 51023.5 and 51023.7; ACCJC Accreditation Standard IV.A and IV.D.7

It is the policy of the Board of Trustees, in the spirit of collegial consultation, to ensure the District provides for timely communication between the Board of Trustees, administrators, faculty, staff, and students. Further, the Board of Trustees, while retaining ultimate authority as defined by federal and state law and local regulation, seeks to give reasonable consideration to the concerns and opinions of constituent groups at the campus level and to share information with these groups. The Board of Trustees delegates to the Superintendent/President responsibility and authority for developing policy recommendations for Board consideration and for implementation of Board decisions.

This procedure outlines the College's governing model for participatory governance.

- I. The decisions of the Board, acting as a unit, are binding as specified in statute.
- II. **Participatory Governance:**
There are four major components to the College's governing process in local decision making and developing sound recommendations for the Board of Trustees on policy matters:
 - A. **Issue-forming Councils** [*Suggestion has been made to select clearer name for these*]
 - Administrative Services Council
 - Instruction Council
 - Student Services Council
 - President's Advisory Council

[Clarification from the workgroup: the President's Advisory Council would operate under a similar structure as the other groups: membership is representative via appointments, but the nature of the work is expected to skew membership more towards the given area. Unlike the other issue-forming councils, this group is expected to typically only serve two functions: review of APs and BPs "owned" by the President's Office (e.g. the 2000 series, BP 3251, etc.) and prioritization of CQIPs

put forward by different departments in the Office of the President. This ensures no lapse in coverage when the President's Cabinet is fully removed from participatory governance.]

1. These four councils focus on the major functional areas of the College. The President's Advisory Council addresses the issues emanating from the President's direct reporting areas (i.e., Human Resources, Public Relations, and Planning, Assessment, and Research).
2. Issues necessary for consideration in the participatory governance process shall have their first development or review at one or more of these councils. The councils shall offer or deny their support for advancement of such issues to College Council as a nonbinding recommendation.
3. All reasonable attempts will be made to ensure the voting membership of these councils demonstrates representation of the administration, the constituency Senates, and the Associated Student Board (ASB). Each council may determine the nature of this representation with approval from College Council. Quorum for each meeting shall be decided similarly, with a simple majority serving as the lowest permitted number.
4. None of these councils are considered Brown Act bodies; however, each shall have a stated charge, viewable minutes from meetings, and an annual report of their goals and activities.
5. Each council shall have the authority to form short-term taskforces from within their members and include campus experts as resources. Councils may request information and/or presentations from any committee, taskforce, or functional area necessary for the completion of their tasks.

B. College Council

~~Standing advisory groups~~ College Council serves as the primary participatory governance entity at College of the Siskiyous. The main purpose of College Council is to advise and make recommendations to the Superintendent/President, ~~are established~~ and to provide ~~Campus~~ College community input to matters of ~~campus~~ College concern prior to Board consideration. No issue shall be delivered to the Superintendent/President from the issue-forming councils for approval by either the Superintendent/President or the Board of Trustees without having been considered by College Council. *[Wording changed from prior draft to reflect original intention – none of the initial councils can circumvent College Council].*

1. All constituent groups are represented ~~in the advisory groups~~. Representatives to ~~advisory groups~~ will be recommended *[please see commentary in II.C]* appointed by the constituent groups. The voting membership of College Council shall *strictly* consist of the President/Superintendent as chair of the council, two members of the administration, two members from each constituency Senate, and two student members. Quorum shall be set at a simple majority.
2. The Integrated Planning and Budget (IPB) Committee is a standing committee of the College Council. IPB shall review all issues with an impact on planning or budgeting prior to review by College Council. The committee shall offer or deny their support for advancement of such issues to College Council as a nonbinding resolution. The voting membership of IPB shall consist of three members from

each constituency Senate, two members of the administration and the President/Superintendent, and two student members. Due to the technical demands of IPB's work, the following positions will have permanent assignment to IPB as non-voting resources:

- Director of Finance,
- Director of Research, Planning, and Assessment

Quorum shall be set at a simple majority.

3. Neither College Council nor IPB shall make substantive changes to issues presented to them through the issue-forming councils. Both bodies may make nonbinding recommendations to either urge the Superintendent/President to reject the issue, or remand an issue to its originating council for review and revision.

[Clarification from the workgroup: As written, it is the prerogative of the two bodies to discern for themselves what qualifies as "substantive changes to issues". This text simply codifies how both groups currently operate: simple fixes are fine, more detailed issues require kicking back down the chain. If this is deemed insufficiently vague, one possibility is to mandate the presence of the chairperson of the relevant issue-forming council(s) (or designee) at College Council to acknowledge the edits as non-substantive].

4. If the Superintendent/President makes a decision substantively different than the recommendation of College Council, a written explanation shall be publicly distributed to the constituency Senates and ASB through the members of College Council within thirty days of the decision.

[This explanation is suggested to also be delivered to the Board of Trustees as an information item at the next available meeting.]

5. Neither College Council nor IPB are considered Brown Act bodies; however, each shall have a stated charge, viewable minutes from meetings, and an annual report of their goals and activities.
6. Both College Council and IPB shall have the authority to form short-term taskforces from within their members and include campus experts as resources. Councils may request information and/or presentations from any committee, taskforce, or functional area necessary for the completion of their tasks.
7. College Council shall serve as the College's Continuous Quality Improvement (CQI) entity to periodically assess institutional effectiveness; make recommendations to the Superintendent/President for qualitative improvements regarding productivity and efficiency of College operations; and align quality improvement principles, operational processes, and accreditation standards.
8. College Council serves as the College's centralized Cost Containment entity, to regularly consider ways for the College and District to contain costs as stewards of public funds.

C. Constituency Senates – See AP2510, IV

The Senates detailed below are Brown Act entities. As such they must comply with all Brown Act requirements; failure to do so resulting in violations of the Brown Act shall be sanctioned by the Board of Trustees, including the possibility of legal action. Each Senate will have a participatory governance charge, viewable minutes from meetings, and an annual report of their goals and activities.

[Clarification sought concerning the role of the Board of Trustees taking corrective internal actions as opposed to referrals to the district attorney in regards to Brown Act violations.]

While the issue-forming councils, College Council, and standing IPB committee may suggest backgrounds or expertise for their members, each constituency Senate shall be the *sole* body identifying their respective membership recommendations to the Superintendent/President to these participatory governance groups. If the Superintendent/President has any concerns regarding any recommended appointment, he/she shall consult the appropriate Senate leadership to seek mutual agreement on all appointments. Appointments shall be conducted according to the bylaws of the respective Senates.

[All of the constituency Senates have expressed concern at the wording of the appointment privileges in the first draft, fearing that it offers the opportunity for the Superintendent/President to reject candidates. The President has noted that he sought wording to simultaneously acknowledge the appointment authority of the Senates and administrator "right of assignment", and there could be alternative text that better accomplishes this task.]

D. Associated Student Board – See AP2510, VI

The Associated Student Board (ASB) is a Brown Act entity. As such, ASB must comply with all Brown Act requirements; failure to do so resulting in violations of the Brown Act shall be sanctioned by the Board of Trustees, including the possibility of legal action. ASB will have a participatory governance charge, viewable minutes from meetings, and an annual report of their goals and activities.

The ASB shall have the right to appoint up to two representatives to any council or standing committee.

III. Standing committees of each unit or area will be consulted as appropriate and an attempt to reach consensus will be made before advancing a recommendation to the Superintendent/President and then to the Board.

IV. Constituency Senates:

An important element to the participatory governance process at College of the Siskiyous is the active engagement of constituencies. The following senates exist at the College: Academic Senate, Classified Senate, and ASM Senate.

Each Senate will have a representative who attends Board of Trustee meetings, and who is available to explain recommendations from a Senate or other participatory governance bodies, as well as to share opinions on governance subjects under consideration by the Board of Trustees.

A. Academic Senate

The Academic Senate has primary responsibility in the areas of academic and professional **faculty** matters. The areas for development of policy recommendations are:

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 report
8. Policies for faculty development activities
9. Processes for program review
10. Processes for institutional planning and budget development
11. Other academic and professional matters, as mutually agreed upon between governing board and the academic senate

The Board of Trustees, through **the Superintendent/President** as its designated representative and with representatives of the Academic Senate, shall ~~have the obligation to~~ consult collegially with the Academic Senate and develop policies on academic and professional **faculty** matters through either ~~or both~~ of the following:

*[Title V language does not include the qualifier **faculty**. Its inclusion would have the unintended consequence of overly restraining, at a minimum, collegiate consultation concerning items 5,7,10, and 11.]*

- Rely primarily upon the advice and judgment of the Academic Senate; **This is the preferred method of interaction for the Academic Senate with the Board of Trustees on instructional matters. Should the Academic Senate fail to advise the Board after a good faith effort on behalf of the Board to receive advice, the District shall move forward with policy revision and creation, especially when the District might be exposed to legal liability or substantial fiscal hardship.**
- Reach mutual agreement with the Academic Senate by **policy, joint** written resolution, ~~or acknowledgement of external regulation or policy.~~ **This is the preferred method of interaction for the Academic Senate with the Board of Trustees for matters that impact cross-sectional efforts and institutional planning. If mutual agreement cannot be reached, existing policy will remain in effect unless continuing with such policy or action exposes the District to legal liability or causes substantial fiscal hardship. In cases where there is no existing policy exists, or in cases where**

~~the exposure to legal liability or substantial fiscal hardship requires existing policy to be changed,~~ the Board of Trustees **will make a good faith effort to reach agreement with the Academic Senate, and then will** ~~may act, after a good faith effort to reach agreement,~~ only for compelling legal, fiscal, or organizational reasons.

[Clarification has been sought concerning specifics around the “good faith effort”. That language is functionally identical to language in title V, Section 53203. Local contextualization is likely fine insofar as it does not violate existing statutes. Alternatively, a simple citation may be preferable in this case.]

B. Classified Senate

Classified staff are represented by members of the Classified Senate on the advisory groups and at the Board table to ensure they have the opportunity to make recommendations, promote communication, and present their opinions on policy matters affecting the conduct, welfare, and growth of the College.

C. ASM Senate

Individuals within the Administrative Support Management (ASM) constituency are represented by the ASM Senate on the advisory groups and at the Board table to ensure they have the opportunity to make recommendations, promote communication, and present their opinions on policy matters affecting the conduct, welfare, and growth of the College.

V. Administration:

Administrators will be represented on the ~~Campus~~ advisory groups and **at** the Board of Trustees table through the participation of senior administrators as designated by the Superintendent/President.

The President’s Cabinet is comprised of all classified and educational administrators employed by the College as well as direct reports to the Superintendent/President. The Cabinet may review any issue under consideration in the participatory governance process brought forward to it by the Superintendent/President for his/her counsel and advice. Any recommendations that may be issued to the Superintendent/President by the Cabinet shall be nonbinding. The Superintendent/President may solicit the Cabinet’s input at any point in the participatory governance process. As a solely advisory body, the Cabinet is not a formal body within the participatory governance process.

VI. Administrative Support Management (ASM) Group:

~~The ASM Group is represented in the advisory groups and at the Board table to ensure this group has the opportunity to make recommendations, promote communication, and present their opinions on matters affecting the conduct, welfare, and growth of the College.~~

VII. Associated Student **Board Body**

ASB is the main student governmental body for College of the Siskiyou students; as such, their role and participation in participatory governance and the decision making at the College, is important to consider and include. Student representation on the Board table is assured through the elected student trustee (as per BP/AP 2015 and BP/AP 2105), and representation on the ~~advisory~~ governance councils and committees by representatives appointed through the Associated Student Board.

The areas where students shall be given the opportunity to participate effectively are:

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 district governing board determines will have a significant impact on students.

VII. Classified (CSEA):

~~Classified staff are represented by CSEA on the advisory groups and at the Board table to ensure they have the opportunity to make recommendations, promote communication, and present their opinions on matters affecting the conduct, welfare, and growth of the College. CSEA functions as the Classified Senate. CSEA is a membership organization with primary interest in classified staff working conditions and compensation. As the entity of CSEA, there is no involvement of CSEA in the participatory governance process of College of the Siskiyou or the Siskiyou Joint Community College District.~~

[Currently the presidents of both the CSEA and the Faculty Association hold seats on IPB. While the wording of AP2510 Section VII and AP2510 Section VIII are clear that the bodies do not hold a formal role in participatory governance, that wording would not preclude this document from codifying the presence of representative members from these bodies.]

VIII. Faculty Association/CCA/CTA/NEA:

The Faculty Association/CCA/CTA/NEA is a membership organization with primary interest in faculty working conditions and compensation. ~~As the entity of the Faculty Association, there is no involvement of the Association in the participatory governance process of College of the Siskiyou or the Siskiyou Joint Community College District.~~

IX. Contents of this document shall not be construed to infringe upon the due process requests of faculty, supervisory/confidential employees, or negotiated agreements with bargaining units.

- X. The Board minutes will reflect the reasons why the Board takes action contrary to the recommendation made in the participatory governance process.
- XI. Each individual group will establish procedures to ensure the timely and efficient implementation of this procedure.
- ~~XII. Institutional processes are contained in the Governance Model document.~~