PERALTA COMMUNITY COLLEGE DISTRICT
GOVERNING BOARD POLICY

11

POLICY #	TITLE	EFFECTIVE	REVISED
2.23	Role of Academic Senates in District and College Governance	9/14/2010	6/24/2010

PURPOSE

The Board of Trustees recognizes the roles of the District Academic Senate (DAS) and the Academic Senates of Berkeley City College, the College of Alameda, Laney College, and Merritt College (College Academic Senates) under Title 5 of the California Administrative Code and as provided for in law (specifically AB 1725).

POLICY

Introduction

The District Academic Senate (DAS), on behalf of the four College Academic Senates (College of Alameda, Berkeley City College, Laney College and Merritt College), shall make recommendations to the Chancellor and to the Governing Board of Trustees (Board) with respect to academic and professional matters.

Each College Academic Senate shall make recommendations on academic and professional matters to their respective College President and Management Team; and shall consult collegially with the Board regarding College matters. The administrative leadership of each college shall consult collegially on these and any other procedures established to carry out this policy.

The requirement to consult collegially shall not limit other rights and responsibilities of the DAS and the College Academic Senates which are specifically provided for in statute, regulations, or other Board policies.

The Board shall receive and consider advice from the DAS on matters defined by Title 5 as "academic and professional;" and shall accept the DAS advice on "academic and professional" matters unless there are exceptional circumstances or compelling reasons not to. Should the DAS advice not be accepted, upon request from the DAS, the Board shall promptly communicate in writing to the DAS its reasons.

Authority

This policy shall be deemed as a formal statement of compliance with the law and Title 5 regulations.

The District Academic Senate (DAS) and College Academic Senates have responsibility for academic and professional matters as defined in Title 5 and the Board, Chancellor, and College Presidents and their Management Teams must "consult collegially" and "reply primarily" on the DAS and the college academic senates in these areas. Only for exceptional circumstances and compelling reasons is it possible not to accept the advice of the academic senates. In such instances, if requested, the Board shall promptly communicate to the Academic Senate, in writing the reasons.

The DAS may assume additional responsibilities and perform such functions as may be delegated to them in writing by the Board or its delegate pursuant to Title 5.

The DAS and/or College Academic Senates shall present a report to the Board at least at its first regularly scheduled monthly Board meeting and shall be extended an opportunity to meet with or appear before the Board with respect to their respective views, recommendations and proposals.

As directed by the Board, the DAS President shall serve an active role and represent the DAS at all Board meetings

and throughout the District's service areas as necessary.

Policy Development and Implementation Areas

Academic and professional matters are defined in Title 5 as:

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 mutually agreed upon between the governing board and the academic senate (Ed Code §53200)

Additional academic and professional matters may be added through formal resolution of the Board.

Advisement and Consultation

Pursuant to California Education Code §70902 (b) (7); 87360 (b); and 87458, the Board will "consult collegially" by "relying primarily on the advice and judgment" of the DAS in considering the process and procedures for administrative retreat rights; as well as procedures for the waiver of minimum qualifications/ equivalency and hiring criteria, policies, and procedures for new faculty. Further the Board understands that pursuant to California Education Code §87610.1 (a); 87663 (f); and 87743.2, the Peralta Federation of Teachers (PFT), prior to engaging in collective bargaining, shall consult with the DAS on tenure evaluation procedures, faculty evaluation procedures, and faculty service areas.

Nothing in this policy shall be construed to neither impinge upon the due process rights of faculty, the negotiation rights of the faculty collective bargaining representative, nor detract from any negotiated agreements between the collective bargaining representative and the Board.

RESOURCE CONTACT	
Vice Chancellor Educational Services	
PERALTA COMMUNITY COLLEGE DISTRICT SOURCE	**STATE/FEDERAL ENACTMENT**
Administrative Procedure 2.23 TBD	Title 5: California Administrative Code California AB 1725 California Education Code §53200; 70902; 87360; 87458; 87610; 87663; 87743;

Policy 2.23 Role of the Faculty Senate in District Governance

The Board of Trustees of the Peralta Community College District recognizes the definition of "academic and professional matters" as stated in the Title 5 regulations: i.e.,

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 mutually agreed upon between the governing board and the academic senate

The Board also recognizes its obligation, under Title 5 regulations, to "consult collegially" with the faculty senate on these "academic and professional matters." Additional academic and professional matters may be added as specified in # 11 only through formal resolution of the Board.

The Board further recognizes that, under Title 5 regulations, it may chose to "consult collegially" through the option of "mutual agreement" or the option of "relying primarily on the advice and judgement of the senate" when considering "academic and professional matters."

The Board chooses that, when it is necessary to "consult collegially" with the academic senate on "academic and professional matters," it will do so through the option of "relying primarily upon the advice and judgement of the academic senate." In making this choice, the Board rejects the option of "mutual agreement" as a basic approach. However, the Board reserves the right to use the "mutual agreement" option in specifically designated instances.

The Board acknowledges that this choice means that:

1. It shall receive and consider any advice the academic senate wishes to offer on matters defined by the regulations as "academic and professional,"
2. it shall accept the Academic Senate's advice on "academic and professional" matters unless there are exceptional circumstances or compelling reasons not to, and
3. if the Senate's advice is not accepted the Board shall, if requested, promptly communicate to the Senate, in writing, the reasons.

Source of Law:
Approved by Board of Trustees: May 14, 1991