

# Sierra College

## ADMINISTRATIVE PROCEDURE

AP 2510

### Participatory Governance

Date Adopted:	6/13/1989
Date Revised:	10/7/2022
Date Reviewed:	10/7/2022
References:	ACCJC Accreditation Standards IV.A and IV.D.7 (formerly IV.A.2, IV.A.5); Education Code Section 70902 subdivision (b)(7); Title 5, Sections 53200 et seq., 51023.5, and 51023.7

Participatory Governance is one of three complimentary processes which function within the college: (1) the administrative process, which deals with the operations of the college within established policies and procedures; (2) the collective bargaining process, which deals with contractual matters and working conditions as defined by the collective bargaining law; and (3) the participatory governance process described below, which provides recommendations to the Superintendent/President on the strategic direction and the policies and procedures of the college.

An evaluation of the structures and processes within this procedure, and communication of the results of the evaluation, shall be conducted on a regular basis minimally every two years.

#### I. PURPOSE OF PARTICIPATORY GOVERNANCE

- A. Provide the process for shared development of policies and procedures;
- B. Provide the means through which all members of the academic community (students, faculty, management, and classified) can participate effectively in the orderly growth and development of the college;
- C. Provide the coordination of college-wide standing committees, academic standing committees, and task forces.

#### II. STRUCTURE

A description of each major component of the governance structure follows:

A. Strategic Council

1. Purpose: To provide a forum for members of Strategic Council to present and discuss the concerns and interests of their constituent groups; to collaborate with the Superintendent/President by conveying the interests of the constituent groups on the strategic direction of the college; to share in decision-making by advising the Superintendent/President in the development of policies and procedures; and to assist in the dissemination of information to the college community.
2. Access: Access to the council is available to all constituencies, committees, staff members and students. The form of approach to the council for all individuals will be through the appropriate senate, a collective bargaining unit, the Superintendent/President, or during the college community public comment agenda item scheduled each meeting. Agenda items may be submitted by/through any constituency group. Whenever possible, back-up material should be submitted with the agenda request form to allow council members time to prepare.
3. Recommendations:
  - a. All actions and recommendations of the Council will be communicated to its constituencies in the form of recollections.
  - b. Should the Superintendent/President reject or modify a recommendation of the Council, the reasons for such action will be communicated to the Council and the Board of Trustees.
  - c. To recognize the primacy granted to the Academic Senate by Title V regulation in the 10 + 1 areas and to protect the access that regulation grants to the Academic Senate with regards to making recommendations to the Board of Trustees, formal Academic Senate recommendations to the Board of Trustees will be brought to Strategic Council for discussion and information only. Such recommendations shall not require consensus at Strategic Council or permission of the Executive team to proceed to the Board of Trustees. The Academic Senate will, in the spirit of participatory governance, seek advice and input from the other Senates, Strategic Council, and Executive team whenever possible but this procedure shall in no way be interpreted as superseding the Academic Senate's primacy in the 10 + 1 areas and the obligations given to the Academic Senate, by Title V regulation, to present recommendations within the 10 + 1 areas directly to the Board of Trustees. (see Appendix A)
4. Membership by Constituency:

Chair – Superintendent/President (non-voting)

Five (5) faculty members:

- 1 Academic Senate President
- 1 appointed by Sierra College Faculty Association (SCFA)
- 2 selected by Academic Senate
- 1 part-time faculty selected by SCFA and the Academic Senate

Five (5) classified members:

- 1 Classified Senate President
- 2 selected by the Classified Senate
- 1 appointed by United Public Employees of California Local 792 (UPEC)
- 1 selected by UPEC and the Classified Senate

Five (5) management members:

- 1 Management and Confidential Senate Board Member
- 2 selected by Management and Confidential Senate
- 2 selected by the Superintendent/President

Five (5) student members:

- 1 Student Senate President
- 4 selected by the Student Senate

5. Alternates: Each constituent group may have up to 3 designated alternates. Only designated alternates are allowed to participate in meetings in the absence of a representative. Alternates are strongly encouraged to attend meetings for continuity purposes.
6. Selection: The process for selection and term limits for representatives and alternates will be determined by each constituency group.
7. Release from Duties: It is recognized that release time may be required for Council membership and participatory governance.
8. Other Incentives: It is recognized that other incentives may be provided for Council membership and governance participation.

#### B. Academic Senate

The Academic Senate provides the faculty with a formal representative voice when making recommendations to the administration of the college and to the governing board with respect to academic and professional matters under the provisions of Title 5 Regulations, Subchapter 2, § 53200-53203. (This description of purpose describes the participation of the Academic Senate through Strategic Council and does not interfere with or supersede the Academic Senate's ability to make recommendations directly to the board of trustees on the 10 +1 areas of purview granted in Title V regulation.) Membership in the Academic Senate is as described by, and

according to, the current Constitution of the Sierra Community College Academic Senate which may be found on the Sierra College website. The Academic Senate President is elected every other year according to the Constitution.

C. Student Senate

The Student Senate represents the students as a consultative body to the council on all professional and academic matters affecting the campus/students. Membership in the Student Senate is as described by and according to the current Constitution of the Student Senate which may be found on the Sierra College website.

D. Classified Senate

The Classified Senate provides the classified staff with a formal representative and professional voice when making recommendations to the administration of the college and to the governing board with respect to classified and professional matters. Membership is as described by, and according to, the current constitution of the Sierra Community College Classified Senate which may be found on the Sierra College website.

E. Management and Confidential Senate

The Management and Confidential Senate provides the managers, supervisors, and confidential employees with a formal representative voice when making recommendations to the administration of the college and to the governing board with respect to management and professional matters. All personnel designated management, supervisory, or confidential shall be the constituents of the Management and Confidential Senate with the exception of the Superintendent/President and Vice Presidents.

F. Committees

Committees are structured under one of the following categories: Standing Committees, Task Forces, Advisory Committees and Bargaining Committees. These categories are intended to provide a structure for committee work within the College. Committees may be created, modified or disbanded after consultation with and/or action by the Strategic Council and appropriate campus body(ies) and placed within the structure. In the spirit of participatory governance, committees should have broad representation of all constituencies where appropriate.

1. Standing Committees

- a. Administrative Standing committees discuss and act on administrative and operational issues. These committees report to the Superintendent/President through the Management and Confidential Senate or to the appropriate administrator. On policy and regulations, they report through the Management and Confidential Senate to the Council.

- b. Classified Standing committees are concerned with issues affecting the classified staff. On issues of policy and regulations, they report through the Classified Senate to the Council.
  - c. College Standing committees are committees concerned with college-wide matters. Generally, these committees have a balanced number of members from all constituencies.
2. Task Forces
- a. Task forces are created to meet specific purposes relating to broad-based academic and professional matters. All task forces are subject to review once a year.
  - b. The task force will be composed of representatives from the appropriate body or bodies in the college community and will elect a chair from its membership.
  - c. Task Forces are created in the following fashion:  
at the direction of the Superintendent/President; at the request of the Academic Senate, the Classified Senate, the Management and Confidential Senate and/or the Student Senate in consultation with the Council; or at the request of the Strategic Council.
3. Advisory Committees - The general purpose of these committees is to advise the District relative to specific program emphasis and change. In addition, Advisory Committees should be comprised of specialists in the subject matter area.
4. Bargaining Committees - Bargaining related committees deal with matters subject to collective bargaining and report to their respective bargaining units.

### III. PROCESS

- A. The method of conducting business should be predetermined by each group. The above groups may operate under Robert's Rules of Order or by such other protocols as they prefer.
- B. All meetings with the exception of personnel, negotiations, and litigation sessions are open to all members of the college community. Agendas will be published prior to the meetings, posted, and distributed as appropriate to aid communication and in compliance with current state regulations.
- C. Development and dissemination of the Strategic Council agenda and related materials is the responsibility of the President's Office.

- D. When an issue requiring action is presented to Strategic Council, the council will provide a response period sufficient to allow for comment from all constituents before acting upon the issue. Council representatives may waive their rights to the response period.
- E. Recommendations from committees and task forces shall be forwarded to the appropriate senate and Strategic Council. Should the council reject the recommendation of a committee, the following shall occur:
1. Strategic Council or Strategic Council representatives shall consult with the committee from which the recommendation emanated in an attempt to resolve any differences;
  2. In the event an agreement cannot be reached, the Council or representatives shall meet and consult with the appropriate senate in an attempt to resolve the differences;
  3. In the event an agreement is not reached in #2 above, the Council is recognized as the final recommending authority to the Superintendent/President; however, policies relating to academic and professional matters are subject to the provisions of Title 5, Subchapter 2. Academic Senates, § 53200-53203.
- F. Recommendations from the Academic Senate on academic and professional matters are normally forwarded to the Board of Trustees through the governance process. However, under Title 5, § 53203(c)&(d) while in the process of consulting collegially, the Academic Senate shall retain the right to meet with or appear before the Board of Trustees with respect to the views, recommendations, or proposals of the Academic Senate. In addition, after consultation with the administration of the College, the Strategic Council and/or District, the Academic Senate may present its views and recommendations to the Board of Trustees.

The Board of Trustees shall respond to the Academic Senate in the following manner:

1. In instances where the Board of Trustees elects to rely primarily upon the advice and judgment of the Academic Senate, the recommendations of the Academic 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 Board of Trustees or its designee, upon request of the Academic Senate shall promptly communicate its reasons in writing to the Academic Senate.
2. In instances where the Board of Trustees elects to provide for mutual agreement with the Academic Senate, and agreement has not been reached, existing policy shall remain in effect unless continuing with such policy

exposes the District 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, only for compelling legal, fiscal, or organizational reasons.

G. Appeals

1. If an individual or committee decides to appeal the recommendation of a committee or task force, that appeal shall be directed to that body.
2. If the appellant is dissatisfied with the results of appeal, a request for a hearing may be made to the Strategic Council.
3. The Council shall hear the appeal including all supporting evidence provided by the academic committee or task force whose decision is being appealed.
4. The recommendation of the Council will be forwarded with all arguments to the Superintendent/President for a final decision.
5. Any action of the Council may be appealed directly to the Superintendent/President.

H. Amendment to Administrative Procedure 2510

1. Proposed amendments to Administrative Procedure 2510 may be initiated in any of the following ways:
  - a. By the Strategic Council
  - b. By any of the four representative bodies (Academic Senate, Classified Senate, Management and Confidential Senate, Student Senate)
  - c. By any committee currently approved under this policy
  - d. By a statement signed by 25 members of the college community
  - e. By the President's Office as necessary on an ongoing basis, at least every six years, to ensure compliance with law and effectiveness in fulfilling the District's mission
2. The process for approval of an amendment is as follows:
  - a. The recommendations for an amendment must be submitted to Strategic Council as an agenda item.
  - b. The Council shall refer the proposed amendment to all the representative bodies with a designated return date.

- c. Each representative determines its own process for review and approval by its constituency.
- d. Strategic Council must consider the results of the review by the representative bodies and take formal action.
- e. A recommendation for approval shall be forwarded to the Superintendent/President and the Board of Trustees.
- f. In the event that Strategic Council disapproves the proposed amendment, it shall consult with the group from which the recommendation emanated in an attempt to resolve any differences.
- g. Strategic Council is recognized as the final recommending authority to the Superintendent/President. However, policies relating to academic and professional matters are subject to the provisions of Title 5, Subchapter 2. Academic Senates, § 53200-53203.

Note: This procedure in no way usurps the legal requirement as cited below regarding participation of faculty in:

Distribution of academic presentations (Education Code 66450)  
Administrative retreat rights (Education Code 87458)  
Equivalencies to minimum qualifications (Education Code 87359)  
Faculty hiring (Education Code 87360)  
Faculty evaluation (Education Code 87663)  
Faculty tenure (Education Code 87610.1)  
Faculty service areas (Education Code 87743.2)  
Curriculum committee (Title 5 Section 55002)  
Academic senate/union agreements (Title 5 Section 53204)

See Board Policy 2510.

## APPENDIX A

### Sierra College Academic and Professional Matters 10+1

Title 5 §53200 (b): Academic Senate means an organization whose primary function is to make recommendations with respect to academic and professional matters. Section 53200 (c) "Academic and professional matter" means the following policy development and implementation matters:

1. Curriculum including establishing prerequisites and placing courses within disciplines..... Rely Primarily
  2. Degree and certificate requirements ..... Rely Primarily
  3. Grading policies..... Rely Primarily
  4. Educational program development..... Mutually Agree
  5. Standards or policies regarding student preparation and success..... Rely Primarily
  6. District and college governance structures, as related to faculty roles..... Mutually Agree
  7. Faculty roles and involvement in accreditation processes, including self-study and annual reports..... Mutually Agree
  8. Policies for faculty professional development activities ..... Rely Primarily
  9. Processes for program review..... Rely Primarily
  10. Processes for institutional planning and budget development..... Mutually Agree
- +1. Other academic and professional matters as mutually agreed upon between the Board of Trustees and the Academic Senate.

*Board Approved 12/11/2018*