

Introduction

Assembly Bill 1725 enacted a new structure of community college governance, in part through strengthening the role of faculty, staff and students. In order to ensure the faculty, staff and students of Diablo Valley College the right to participate effectively in district and college governance, the College Council and DVC president adapt Board Policy 1009 into the following procedures statement in accordance with the provisions of AB 1725, Title 5, and the directives of the Board of Governors of the California Community Colleges. In the development of Diablo Valley College academic and professional procedures, the college president is the designated representative of the governing board. At DVC, the Academic Senate referenced in Title 5, shall also be known as the Faculty Senate.

The governing board and college president recognize that one of the basic principles of governance in higher education is that authority derives not only from the powers vested in governing boards and their staffs by law, but also from the knowledge and experience possessed by the faculty, staff and others. Both sources of authority are vital to the development and implementation of sound educational policy. Institutional governance recognizes and is predicated upon the sincere commitment on the part of all participants to our students, our professions, our colleges and our district. It is made a reality not only through processes for developing recommendations but also through the delegation of authority and fixing of responsibility in appropriate areas. It is a complex process of consultation that demands from faculty, managers, classified staff, and students a respect for divergent opinions, a sense of mutual trust, and a willingness to work together for the good of the instructional enterprise.

Faculty Participation

The college president will consult collegially with the DVC Faculty Senate when adopting procedures on academic and professional matters as defined in Title 5, section 53200 (c). Except in those areas where the president will rely primarily upon the advice and judgment of the Faculty Senate, the president, or such designee, and the representatives of the Academic Senate shall have the obligation to reach mutual agreement by written resolution, regulation, or procedures of the college effectuating such recommendations.

The governing board and the college president recognize that the Faculty Senate is established in order that the faculty have a formal and effective procedure for participation in the formation and implementation of district and college policies and procedures on academic and professional matters and, as the representatives of the faculty, has as its primary function that of making recommendations to the president and administration of the college and to the governing board of the district with respect to academic and professional matters.

While in process of consulting collegially, the Faculty Senate will retain the right to meet with or appear before the governing board with respect to the views, recommendations, or proposals of the senate relating to the district's policy or procedures.

The appointment of faculty members to serve on councils, committees, task forces, or other groups dealing with academic and professional matters, will be made by the Faculty Senate, in consultation as appropriate with the president or designee on college matters or with the chancellor or designee on district matters.

With regard to college procedures as well as district policies and procedures, in those areas where the governing board elected to rely primarily upon the advice and judgment of the Faculty Senate, the recommendations of the senate will normally be accepted, and only in exceptional circumstances and for compelling reasons will the recommendations not be accepted. In those areas where the governing board elected to provide for mutual agreement with the Faculty Senate, where an agreement on a policy or procedure concerning an academic or professional matter has not been reached, existing policies and procedures shall remain in effect unless continuing such policy exposes the district or college to legal liability or causes substantial fiscal hardship. In such cases, the governing board has the right and responsibility to exercise the final decision on all recommendations.

The president or governing board's consultation with the Faculty Senate on academic and professional matters shall not impinge upon the due process rights of faculty nor detract from the negotiated agreement with United Faculty. Further, the president and governing board shall respect agreements between the Faculty Senate and United Faculty representatives as to how they will consult, collaborate, share or delegate among themselves the responsibilities that are or may be delegated to Academic Senates pursuant to Title 5, sections 53200-53204.

Staff Participation

The president will consult with the Classified Senate when adopting policies and procedures that are likely to have a significant impact on staff. Staff will have the opportunity to participate effectively in formulating college procedures, and in those processes for jointly developing recommendations for action by the administration that the president or administration determines. Consultations with staff are appropriate in accordance with approved institutional governance participation structures and procedures for staff. The governing board and president will ensure that the recommendations and opinions of staff are given reasonable consideration, and it will not take action on matters significantly affecting staff until it has provided staff an opportunity to participate, except in unforeseeable, emergency situations.

The governing board and college president have recognized that all members of the classified service except classified managers are staff for purposes of participation in institutional governance.

The appointment of staff to serve on college and district councils, committees, task forces or other governance groups will be made by the Classified Senate in consultation as appropriate with the president or designee on college matters or with the chancellor or designee on district matters.

The president's consultation with the Classified Senate on matters that have a significant impact on staff will not impinge upon the policies and procedures governing the participation rights of faculty and students pursuant to Title 5, sections 53200-53205 and section 51023.7, nor detract from the negotiated agreement with Local 1. Further, the president and governing board will respect agreements between the Classified Senates and Local 1 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 Title 5, section 51023.5.

Student Participation

The president will consult with the associated student organization as the representative body to offer opinions and to make recommendations with regard to policies and procedures that have or will have a significant effect on students as defined in Title 5, section 51023.7. Students will have the opportunity to participate effectively in formulating college procedures, and in those processes for jointly developing recommendations for action by the president. As the governing board at the district level has ensured appropriate student participation, the college president will ensure that recommendations and positions developed by students are given every reasonable consideration at the college level, and the college will not take action on matters significantly affecting students until it has provided students an opportunity to participate, except in unforeseeable emergency situations.

The appointment of student representatives to serve on college and district councils, committees, task forces, or other governance groups will be made by the associated student organization in consultation as appropriate with the president or designee on college matters or with the chancellor or designee on district matters.

The president's consultation with the associated student organizations on matters, which have a significant impact on students, will not impinge upon the due process rights of faculty nor detract from negotiated agreements with United Faculty and Local 1.

Policy Development Areas by Constituent Groups

Academic Senate (Title 5, section 53200)

Academic and professional matters mean the following policy development and implementation matters. The president will rely primarily upon the advice and judgment of the Faculty Senate with regard to items 1 through 3 and reach mutual agreement with regard to items 4 through 11:

1. Curriculum, including establishing prerequisites and placing courses within disciplines;
2. Degree and certificate requirements; and
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 president and the Faculty Senate.

Classified Senate (Title 5, section 51023.5)

Participation in formulating college procedures and in those processes for jointly developing recommendations for action by the governing board, that the president determines, in consultation with staff, are likely to have a significant impact on staff.

Associated Student Organizations (Title 5, section 51023.7)

Participation in development of college procedures that have or will have a significant effect on students which includes the following:

1. Grading policies;
2. Codes of student conduct;
3. Academic disciplinary policies;
4. Curriculum development;
5. Courses or programs that 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 college procedure or related matter that the president determines will have a significant effect on students.