

Dedication

This handbook was created by Christie Diep (English), Bryan Seiling (History), and Billy Pashaie (Library), along with Renee Ssensalo (Counseling) and Tina Johannsen (Health Science). It is a work of collaboration that represents a commitment to an open Senate process and an investment in a well-informed and confident Senate body. The process of updating and improving this handbook is a work of faculty collaboration that will continue long into the future.

The creation of this first official Senate Handbook is dedicated to the Academic Senate of 2013-2014:

President: Gary Zagar
President-Elect: Jolena Grande
Secretary: Rosalie Majid
Treasurer: Ron Armale

Senators:

Nancy Deutsch
Cherie Dickey
Will Heusser
Jim Hormel
Sarah Jones
Kathy Llanos
Laurie Morvan
Therese Mosqueda-Ponce
Bill Pinkham
Kathleen Reiland
Jesse Saldana
Jane Walker
Nancy Welliver
Christie Diep
Bryan Seiling
Billy Pashaie
Renee Ssensalo

Cypress College Academic Senate Handbook

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The Cypress College Academic Senate

The Cypress College Academic Senate is faculty representing faculty in the shared governance process. Faculty participation is not only a legal requirement of the State Education Code and Title 5, but it is vital to the strength and growth of a our Cypress College community. In order to serve our students in the fullest way possible, faculty across the campus need to be involved in institutional planning and implementation of academic programs.

All are welcome to make comments and express concerns regarding issues not on the agenda during public commentary. Faculty members are also welcome to contribute to the discussion of agenda items during each meeting.

The primary purpose of the Cypress College Academic Senate is to represent all faculty in consulting collegially with the Board of Trustees and its representatives regarding academic and professional matters affecting the college and the district.

The Cypress College Academic Senate shall also have the purpose of increased communication, awareness, and understanding with and among various entities, including the members of the college faculty as a whole, other groups concerned with the policies, welfare, and growth of the college, district representatives acting on matters affecting faculty concerns and interests, and statewide organizations.

(From the Cypress College Academic Senate Constitution)

The Role of Faculty in the Governance Process

“Shared governance isn’t easy. It requires a willing faculty every bit as much as a willing administration. It entails hours spent on committees, poring over reams of documents, most of which aren’t particularly interesting. It means having the courage to express unpopular points of view—and the intellectual rigor to back up those opinions with facts. . . . No amount of willingness on the part of the administration can produce real shared governance unless the faculty is also willing to share the burden and responsibility of governing.” (Jenkins, Rob and Beth Jensen. “How to Climb Down from Top-Down Leadership.” <http://www.aaup.org>. May-June 2010)

(From the *NOCCCD Decision Making Resource Manual*, March 2012)

The role of full- and part-time faculty members in making decisions at the district level is to participate in:

- The development of recommendations to the Chancellor on academic and professional matters as outlined in state regulations and
- The processes for developing recommendations that have or will have a significant effect on them.

Faculty are represented in academic and professional matters by Academic/Faculty Senates at each campus.

Academic Senate means an organization whose primary function is to make recommendations with respect to academic and professional matters.

Title 5

The policies and regulations of the Board of Governors, and their interpretations and strategies for implementation of Education Code, are contained within this collection. They are published as part of the California Code of Regulations (at <http://ccr.oal.ca.gov>).

Section 53200 Definitions

The academic senate represents the faculty in the eleven (10+1) specific areas defined by Title 5 §53200-204. In addition, the Education Code assigns myriad additional responsibilities to academic senates, such as minimum qualifications and equivalency processes, faculty hiring, faculty evaluation and tenure review, administrative retreat rights, and faculty service areas.

Title 5 §53200-204 and 10+1

As provided in Board Policy 2510: Participation in Local Decision-Making, the Board of Trustees recognizes the authority of the Academic/ Faculty Senates with respect to academic and professional matters in accord with provisions of Title 5 of the California Code of Regulations.

The academic and professional matters on which the Board will rely primarily on the Academic/Faculty Senates are:

1. Curriculum, including establishing prerequisites and placing courses within disciplines.
2. Degree and certificate requirements.
3. Grading policies.
4. Standards or policies regarding student preparation and success.
5. Faculty roles and involvement in accreditation processes, including self-study and annual reports.
6. Policies for faculty professional development activities.

The Board of Trustees will seek mutual agreement with the Senate on the following academic and professional matters:

7. Educational program development and educational program discontinuance.
8. District and college governance structures, as related to faculty roles.
9. Process for program review.
10. Processes for institutional planning and budget development.
11. Other academic professional matters as mutually agreed upon by the Board of Trustees and the Academic Senate.

Consult Collegially means that the district governing board shall develop policies on academic and professional matters through either or both of the following:

1. Rely primarily upon the advice and judgment of the academic senate, OR
2. The governing board, or its designees, and the academic senate shall reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.

Education Code and Faculty Responsibilities

(From the ASCCC website, <http://www.asccc.org>)

The roles and responsibilities of the local senates and their faculty are spelled out in both State legislation, policies, and regulations, and local policies and procedures.

Education Code

The following summarizes some of the significant segments of the California Code of Regulations affecting Academic Senates.

These laws are a result of legislation--and can be modified only by subsequent legislative action. They appear in their full text, including the intent language of the original author(s), on the legislature's Website, www.ca.leginfo.gov.

These important legal strictures are designed to ensure faculty's full participation in the educational process that is the community college.

Education Code:

SECTION 70902 (b)(7) GOVERNING BOARDS; DELEGATION

The governing board of each district shall establish procedures to ensure faculty, staff, and students 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.

SECTION 87359 (b) WAIVER OF MINIMUM QUALIFICATIONS; EQUIVALENCY

The agreed upon process shall include reasonable procedures to ensure that the governing board relies primarily upon the advice and judgment of the academic senate. The process shall further require that the governing board provide the academic senate with an opportunity to present its views to the governing board before the board makes a determination.

SECTION 87360 (b) HIRING CRITERIA

Hiring criteria, policies, and procedures for new faculty members shall be developed and agreed upon jointly by the representatives of the governing board and the academic senate.

SECTION 87458 (a) ADMINISTRATIVE RETREAT RIGHTS

The agreed upon process shall include reasonable procedures to ensure that the governing board relies primarily upon the advice and judgment of the academic

senate. The process shall further require that the governing board provide the academic senate with an opportunity to present its views to the governing board before the board makes a determination.

SECTION 87610.1(a) TENURE EVALUATION PROCEDURES

The faculty's exclusive representative shall consult with the academic senate prior to engaging in collective bargaining regarding those procedures.

SECTION 87663 (f) EVALUATION PROCEDURES

The faculty's exclusive representative shall consult with the academic senate prior to engaging in collective bargaining regarding those procedures.

SECTION 87743.2 FACULTY SERVICE AREAS

The exclusive representative shall consult with the academic senate in developing its proposals with regards to faculty service areas.

Senate/Union Relations

The academic senate and your campus' collective bargaining agent (union) work together for the benefit of faculty, but questions often arise concerning the roles of the respective organizations. Put in its simplest terms, the academic senate represents the faculty in academic and professional matters, and the collective bargaining agent represents the faculty regarding working conditions.

The collective bargaining agent represents the faculty in such areas as workload, assignment, working hours, academic calendar, and salary and benefits. Typically, the role of the collective bargaining agent is evident in the agreement between the union and the district.

The Education Code requires that bargaining agents consult with the academic senate's prior to engaging in bargaining on evaluation, tenure review processes and faculty service areas. Additionally, the bargaining units should consult with the senate prior to negotiations to determine if there are additional areas of mutual interest and concern to be placed on the table. Remember that each organization has its primary area of responsibility and focus, and that each may (and likely will) approach issues differently. Remember, too, that each organization represents the same group of people. Faculty interests are best served when the two faculty representative groups work cooperatively with each other.

District and Campus Shared Governance

North Orange County Community College District Board Policy--1002 Philosophy

1.0 The faculty, staff, administration and Board of Trustees will strive to fulfill the mission adopted by the State of California for community colleges, effectively manage the resources provided by the taxpayers, and build mutually-beneficial partnerships with the community, business and industry, and elected officials at the local, state and national level.

2.0 The District is committed to a broad range of educational opportunities, along with support services that will enable students to attain their academic and personal goals. The Board of Trustees, faculty, staff and administrators have the responsibility to provide and support educational offerings of the highest quality and value to students and to the community.

- 2.1 The District will ensure that curriculum is current and relevant, and employ well-qualified faculty and staff.
- 2.2 Achieving, respecting and embracing diversity within the student body, faculty, and staff will be of primary importance.
- 2.3 Consistent with state legislation, the District will apply the principles of shared governance, which is a decision-making process that is based on a fundamental belief in the value of all opinions, as well as on an agreement to thoughtfully consider the point of view of all affected constituencies.
- 2.4 The Board acknowledges the role of faculty, staff and students in the shared governance process, as specified under Title 5. An agreement between the Board and the Academic/Faculty Senates appears in Administrative Procedure 2510.
- 2.5 Resources and programs will be provided to support staff and professional development through special learning opportunities, sabbatical leaves, conferences and workshops.

Definition of Shared Governance (From the "Cypress College President's Advisory Cabinet Description, Purpose & Guidelines." Revised, September 2010.)

At Cypress College, the shared governance process is a system whereby all affected persons have an opportunity to give input into decision making, directly or through representation, and have that input seriously considered. The rationale for the final decision shall be communicated to all (adopted by Colloquium, October 1995).

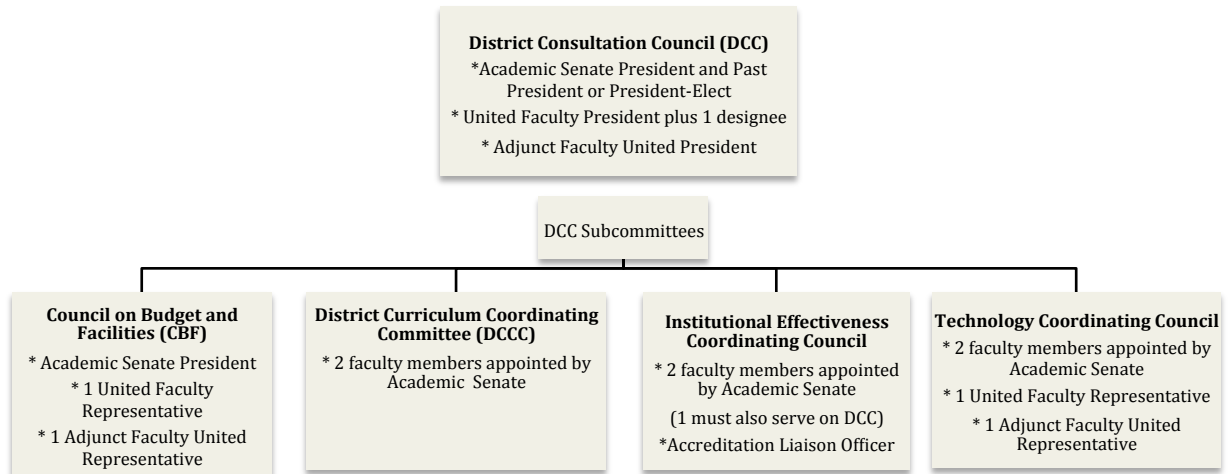
The shared governance policy should be one that functions within (1) the mandates of AB 1725, the California Education Code, and Title 5 Regulations, (2) the Collective Bargaining Agreements, (3) the policies of the Board of Governors, and (4) the policies and procedures of the NOCCCD Board of Trustees.

NOCCCD Groups with Faculty Representation

From the North Orange County Community College District Decision Making Resource Manual, March 2012

NOCCCD Governance Groups

Governance groups are those whose authority is derived from law and regulation, either as written expressly in the law/regulation or as delegated by another group that possesses said authority. Examples of District-level governance groups are District Consultation Council and Council on Budget and Facilities. Examples of campus governance groups are Academic/Faculty Senates and Associated Student Government. Members of District-level governance groups represent specific constituencies and as such, serve as a liaison to bring information from the constituent group into the District-level dialogue and from the District-level governance group back to their constituents. Recommendations developed by District and campus governance groups flow through a sequence of well-defined steps before the recommendations are forwarded to the Chancellor.



Subcommittees meet monthly.

Subcommittee membership is established in April for the next academic year.

NOCCCD Organizational Groups

Organizational groups assist the Chancellor in implementing the Board’s plans and policies by coordinating operational, procedural and policy implementation. The authority for the members of organizational groups is derived from the Board of Trustees or the Chancellor through the assignment of responsibilities on job descriptions and appointment to positions within NOCCCD.

NOCCCD Organizational Groups Having Senate Appointments

1. District Agenda Committee (Meets Monthly)

* Academic Senate President

2. District Equal Opportunity Advisory Committee (Meetings As Needed)

*1 faculty appointed by Academic Senate from the Campus Diversity Committee

District Governance Committees

1. District Consultation Council (DCC)
 - * Academic Senate President
 - * Academic Senate Past President or President-Elect
2. Council on Budget and Facilities (CBF)
 - * Academic Senate President
3. District Curriculum Coordinating Committee (DCCC)
 - * 2 Faculty appointed by Academic Senate
4. Institutional Effectiveness Coordinating Council
 - * 2 Faculty appointed by Academic Senate
(I must also serve on DCC)
5. Technology Coordinating Council
 - * 2 Faculty members appointed by Academic Senate
6. District Agenda Committee
 - * Academic Senate President
7. District Equal Opportunity Advisory Committee
 - * 1 Faculty appointed by Academic Senate from the Campus Diversity Committee
8. Hiring Committees and other ad hoc committees as needed

Academic Senate/Campus Committees

Senate Committees do the work of the Senate under 10+1. They report directly to the Senate and operate by authority of the Senate.

1. Curriculum Committee (Standing Committee)
 - * Chair appointed by Senate (40% reassigned time) **Chair serves as liaison to PBC**
 - * Division faculty elected by Divisions using Senate election guidelines.

2. Program Review and Department Planning Committee (Standing Committee)
 - * Chair appointed by Senate (20% reassigned time)
 - * 8 Faculty appointed by Senate.
 - Chair requests nominations from faculty to be approved by Senate.

3. Student Learning Outcome (SLO) Committee (Subcommittee)
 - * Chair appointed by Senate (40% reassigned time)
 - * 5 Faculty appointed by Senate.

Campus Governance Groups with Senate Appointments

1. President's Advisory Cabinet (PAC)
 - * Senate President and Past President or President-Elect

2. Planning and Budget Committee (PBC)
 - * Senate President and Past President or President-Elect

3. Accreditation Steering Committee
 - * 2 Faculty appointed by Senate

4. Basic Skills Initiative Committee

5. Campus Technology Committee (CTC)
 - * 2 Faculty appointed by Senate

6. Catalogue, Registration, and Schedule Committee

7. Distance Education Committee

8. Diversity Committee
 - * 6 Faculty appointed by Senate, including adjunct faculty

Academic Senate/Campus Committees Cont.

9. Honors and Service Learning Campus Committee
10. Enrollment Management Committee
11. Foundation Board
 - * 1 Faculty appointed by Senate
12. Joint Committee on Full-Time Faculty Positions
 - * 3 Faculty appointed by Senate
13. Matriculation Committee
 - * 4 Faculty
14. Petitions Committee
 - * 5 Faculty appointed by Senate
15. Safety Committee
16. Staff Development
 - * Chair appointed by Senate (60% reassigned time)
Chair serves as liaison to PBC
* 2 faculty appointed by Senate
17. Student Equity Planning
18. Student Services Council
19. Hiring Committees, Evaluation Committees, and other ad hoc committees (as needed)

Academic Senate Faculty Appointment Procedures

Senate Appointees to Campus Governance Committees

Election of Academic Senate Appointees to Campus Government Committees

Campus Committees Flow Chart--To be created.

Some Basic Ground Rules

(Portions are adapted from the Cypress College Planning and Budget Committee Guidelines.)

1. Everyone should be candid and comfortable in expressing an opinion.
2. Everyone should be willing to comment on the negative and there should be an atmosphere where it is okay to say “The emperor has no clothes.”
3. Everyone should feel free to ask questions if something is unclear and keep asking until the issue is understood.
4. Everyone should stay on the topic and maintain a “view of the whole.”
5. Everyone should feel free to share their opinions, but not dominate, allowing others to participate.
6. Everyone should show respect for each other and each other’s ideas.
7. Come prepared by knowing what your constituents think about issues.
8. Remember that an abstention vote is a vote that does not represent anyone. Avoid using an abstention vote if you simply need more time to consult with your constituents. Otherwise, you are taking a voice away from faculty.
9. Find an alternate who will be able to serve for you if necessary.
10. Always remember that the Academic Senate represents the best interests of faculty and students in the shared governance process.

SENATE SEMINAR ON ROBERT'S RULES:

Who Is This Robert, Why Does He Have Rules, & How Can They Help Us Get Out of Here by 5:00PM?

I. Introduction – Who and What is Robert's?

- A. General Henry M. Robert and Parliamentary Procedure
- B. Ranking Order/Authority
 - 1. Law – Federal, State, & Local
 - 2. District/College Rules and Regulations
 - 3. Academic Senate Constitution and By-Laws
 - 4. Rules of Order
 - a. Special Rules – We Create These
 - b. Robert's Rule of Order, Newly Revised (RONR) – The Written Rule
 - 5. Standing Rules – Administrative Procedures
 - 6. Custom
- C. Orderly Process – Process is Content/Content is Process
- D. WE Control That Process

II. "I'm Just a Motion..." – The Process by Which We Make Decisions

- A. Or Am I a Resolution – Motions v. Resolutions
- B. The Main Motion – The Center of Attention
 - 1. Conceive the Motion – Write It Down (?)
 - 2. Place Motion on Agenda – Process Guides This
 - 3. Get Recognized to Speak by the Chair
 - 4. State the Motion – Read It to the Group
 - 5. Second the Motion – No Recognition Needed
 - 6. Chair States the Question – Motion Becomes Official
 - 7. Debate the Motion – We Have Rules
 - a. Limits - 2 Times for Up 10 Minute Each
 - b. Stick to the Topic – Germaneness Rule
 - c. Debate Ideas, Not Personalities
 - 8. Vote on Motion – Majority for Main Motions
- C. Subsidiary Motions – See Back for List
- D. Privileged Motions – See Back for List
- E. Incidental Motion – See Back for List

III. How Can We Speed Things Up? – Getting Out by 5:00PM

- A. What the Chair Can Do
 - 1. Traffic Cop – Keep Things Moving
 - 2. Prioritize Recognition of Speakers
 - a. Promote Back and Forth Debate – Yes Side Then No Side
 - b. Recognize One Person at a Time – No List of Speakers
 - 3. Use Unanimous Consent for Approval – Don't Always Need to Vote
- B. What the Group Can Do
 - 1. Special Rules Limiting Debate – The 3 Minute Standard
 - 2. Use of Subsidiary Motions
 - 3. Knowing Process

OTHER COMMONLY USED MOTIONS:

SUBSIDIARY MOTIONS: These motions help the group in handling and disposing the Main Motion.

1) **Motion to Amend** – This is the most common subsidiary motion. You may want to add or subtract from a main motion or seek to change it in some other way. To do so, you receive recognition and move to amend by stating your amendment. It too will need to be written down, receive a second, and have the question put by the chair. Once this is done, debate takes place on the amendment, not the main motion. Once it is disposed, debate of the main motion resumes with the amendment now being part of it, if it was passed.

2) **Motion to Limit/Extend Debate** – While any motion is being debated, a member may make a motion to limit or extend debate on the topic at hand. You need to first be recognized to make the motion. It is NOT debatable and requires a 2/3 vote. There is no limit to the number of times this can be used during debate.

3) **Motion to the Previous Question** – This is another way of saying a motion to end debate. It brings an immediate end to all debate and brings the motion to a vote. It is NOT debatable and requires a 2/3 vote.

4) **Motion to Postpone to a Certain Time** – This motion allows you to put off both the debate and vote on a given item. It can be postponed to a time later in that meeting or to the next meeting, but no later than that. The merits of postponing may be debated, but the motion itself cannot be. It requires a 2/3 vote.

5) **Motion to Commit/Refer** – This motion is used to send something to a committee to be looked at in more detail before final debate/vote of the whole group. The merits of referring to a committee can be debated, but not the motion itself. It requires a majority vote and must specify the committee (Standing or Special) to which the item is being referred. Often, there are also special instructions for the committee given in the referral.

PRIVILEGED MOTIONS: These motions are unrelated to the Main Motion, but take precedence.

1) **The Motion to Adjourn** – We do this at the end of every meeting, but we tend to use it as a formality. It can be used to end the meeting at any time. If there is business pending or left to be addressed, it is rolled over to the next meeting under “Unfinished Business.”

INCIDENTAL MOTIONS: These relate to existing business in different ways.

1) **Point of Order/Appeal** – If you believe something is out of order, you may raise a Point of Order. You do NOT have to be recognized, and your point takes precedent. The Chair makes a ruling. This ruling may be appealed to the group with each person able to speak just once, except for the Chair who may speak twice.

2) **Point of Parliamentary Inquiry** – If you want to know how a rule applies to what’s going on or what you want to do, you may raise a Point of Parliamentary Inquiry. You need not be recognized, and the Chair answers your question.

3) **Motion to Suspend Rules** – This motion is used when you want to do something that is not normally allowed under the rules. You do not have to say which rule you which to suspend, but rather state what you want to be able to happen – “I want to suspend the rules to let Gary have a say in debate...”. The motion is NOT debatable and requires a 2/3 vote.

OPEN MEETING LAWS IN CALIFORNIA THE BROWN ACT

Government Code §54950-54960.5

First Amendment Project:

<http://www.thefirstamendment.org/brown-act.html>

THE BASICS

Meetings of public bodies must be “open and public,” actions may not be secret, and action taken in violation of open meetings laws may be voided (§§54953(a), 54953(c), 54960, 54960.1).

WHO’S COVERED

- * Local agencies, including counties, cities, school and special districts (§54951).
- * “Legislative bodies” of each agency are the boards whose meetings are governed by the Brown Act – the agency’s governing body plus any board, commission, committee, task force or other advisory body created by the agency, whether permanent or temporary (§54952(b)). Collectively these will be called “covered boards.”
- * Any standing committee of a covered board, regardless of number of members (§54952(b)).
- * Nonprofit corporations formed by a public agency or which includes a member of a covered board and receives public money from that covered board (§54952).
- * NOT affected are: meetings of ad hoc, advisory committees consisting of less than a quorum of the covered board (§54952(b)); most nonprofit corporations; courts and court agencies; state government. (See Bagley-Keene Act for state agencies, §§ 11120-11132.)

WHAT’S COVERED

A “meeting is any gathering of a majority of the members of a covered board to hear, discuss, or deliberate on matters within the agency’s or board’s jurisdiction. “Note: no vote or action is required for the gathering to be a meeting, nor must the members meet face-to-face (§54962.2).

MEETING RULES

To preserve the public’s rights under the Brown Act, an agency must:

- * Post and send notice and an agenda for any regular meeting (§§54954, 54954.2): mail notice one week before regular and special meetings to those who request it (§54954.1): notice special and emergency meetings (§54956, §54956.1).
- * Notify the media of special or emergency meetings (§54956, §54956.5); allow media to remain in meetings, cleared due to public disturbance (§54957.9).
- * Limit action to items on the agenda, absent special circumstances (§54954.2(a)(b)).
- * Hold meetings in the jurisdiction of the agency except in limited circumstances (§54954(b)(1)-(4),(c),(d),(e)), and in places accessible to all, with no fee (§54961(A)).
- * Do not require a “sign in” for anyone (§54953.3).
- * Allow recording and broadcast of meetings (§54953.5(a)), and let the public have a copy of and listen to any recording made by the agency of its open meetings (§54953.5(b)).
- * Allow the public to address the covered board at regular or committee meetings. On any item in the agency’s jurisdiction (§54954.3(a)).
- * Conduct only public votes, with no secret ballots (§54953(c)).
- * Treat documents as public “without delay,” if distribution before or at the meeting, unless they are also exempt under the Public Records Act (§54957.5).