

## SECTION FIVE

### FACULTY/ACADEMIC SENATE

#### **5A** Recognition of Academic Senates (Revised July 13, 2000)

- 5A1** The Board of Trustees affirms recognition of the Academic Senates of the Colleges of the Kern Community College District under Title 5 of the California Administrative Code and as provided for in law.
- 5A2** The Academic Senates shall be recognized to make recommendations to the District Chancellor, and to the Board of Trustees with respect to academic and professional matters.
- 5A3** The Academic Senate of each College shall be recognized to make recommendations with respect to academic and professional matters to the College President and Management Team of each College, and, if necessary, consult collegially with the Board of Trustees about individual College matters as outlined in **Policy 5A4**.
- 5A4** *Academic and professional matters* means the following policy development and implementation matters:
- curriculum, including establishing pre-requisites and placing courses within disciplines;
  - degree and certificate requirements;
  - grading policies;
  - educational program development;
  - standards or policies regarding student preparation and success;
  - District and College governance structures, as related to faculty roles;
  - faculty roles and involvement in accreditation processes, including self-study and annual reports;
  - policies for faculty professional development activities; processes for program review;
  - processes for institutional planning and budget development; and

- other academic and professional matters as mutually agreed upon between the Governing Board and the Academic Senates.
- 5A5** The Board of Trustees or its designee shall consult collegially with the College Academic Senates when identifying or adopting policies on academic and professional matters. This requirement to consult collegially shall not limit other rights and of the Academic Senates which are specifically provided for in statute, regulations, or other sections of the District Board Policy Manual.
- 5A6** *Consult collegially* means that the Board of Trustees shall develop policies on academic and professional matters through either or both of the following methods, according to its own discretion:
- relying primarily upon the advice and judgment of the Academic Senates; or
  - that the Board of Trustees, or such representatives as it may designate, and the representatives of the Academic Senates shall have the obligation to reach mutual agreement by written resolution, regulation, or policy of the Board of Trustees effectuating such recommendations.
- 5A7** With respect to academic and professional matters listed in **Policy 5A4**, the Board of Trustees shall rely primarily upon the advice and judgement of the Academic Senates.
- 5A8** While in the process of consulting collegially, the Academic Senates shall retain the right to meet with or appear before the Board of Trustees with respect to views, recommendations, or proposals of the Academic Senates. In addition, after consultation with the administration of the College and/or District, the Academic Senates may present their views and recommendations to the Board of Trustees according to **Policies 5C1** and **5C2**.
- 5A9** The Board of Trustees shall rely primarily upon the advice and judgment of the Academic Senates in determining which policies, proposed and existing, relate to academic and professional matters. The Chancellor shall rely primarily upon the advice and judgment of the academic senates in determining which procedures relate to academic and professional matters and shall consult collegially with the Academic Senate with respect to these procedures.

**5B**     **Responsibilities of the College Academic Senates**

- 5B1**     The appointment of faculty members to serve on College or District committees, task forces or other groups dealing with academic and professional matters, shall be made, after consultation with the Chief Executive Officer or his/her designee, by the Academic Senates.
- 5B2**     The Academic Senates shall implement the sections of the District's and Colleges' faculty hiring and evaluation policies for which they are responsible.
- 5B3**     The College curriculum committee shall be established by mutual agreement between the College administration and Academic Senate.
- 5B4**     The Academic Senates may assume such responsibilities and perform such functions as may be delegated to them in writing by the Board of Trustees of the District pursuant to Section 53203(a) of Title 5.
- 5B5**     Each College Academic Senate and College administration shall agree upon written responsibilities delegated to the Academic Senate, including, but not limited to, academic and professional matters as defined in Section 53200 of Title 5, California Administration Code.

**5C**     **Recommendation and Consultation**

- 5C1**     In making a recommendation to the Board of Trustees, the College Academic Senates shall, using their own procedures, jointly agree upon the recommendation before forwarding it to the Board of Trustees.
- 5C2**     When the Board of Trustees or its designee consults collegially with the College Academic Senates, the Academic Senates shall, using their own procedures, jointly agree upon a response before forwarding it to the Board of Trustees or its designee.
- 5C3**     In instances where the Board of Trustees elects to rely primarily upon the advice and judgment of the Academic Senates, the recommendations of the Academic Senates shall 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 Senates, shall promptly communicate its reasons for its action in writing to the Academic Senates.

- 5C4** In instances where the Board of Trustees elects to provide for mutual agreement with the Academic Senates, the Academic Senates shall determine their representatives to meet with the Board of Trustees' representatives to reach a tentative mutual agreement, to be approved by each College Academic Senate. If final mutual agreement cannot be 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 not existing policy, or in cases where 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 with the Academic Senates, only for compelling legal, fiscal, or organizational reasons.
- 5D** **Scope**--Nothing in **Policies 5A** through **5F** of this policy shall be construed to impinge upon the due process rights of faculty, nor to detract from any negotiated agreements between the collective bargaining representatives and the Board of Trustees.
- 5E** **Implementation**--This policy shall be deemed as a formal statement of compliance with the law and Title 5 regulations. The Academic Senate and administration of each College shall consult collegially on any additional procedures to implement the policies in **Section Five** of the District Board Policy Manual.
- 5F** **Review and Revision**--Policies on academic and professional matters are subject to review and revision at the request of any one (1) of the Academic Senates or the Board of Trustees. The Academic Senates and the Board of Trustees shall consult collegially on such revised policies as outlined in **Policy 5C**, before adoption of said revised policies.
- 5G** **Faculty Hiring** (Applicable to all personnel with employment contracts based on the Basic Faculty Salary Schedule)
- 5G1** Philosophy
- 5G1A** It shall be the policy of the Kern Community College District that a faculty hiring process be established to provide for highly qualified College faculty who are expert in their subject areas, who are skilled in teaching and serving the needs of a varied student population, who can enhance overall College effectiveness, and who are sensitive to and representative of the racial and cultural diversity of the District adult community.
- 5G1B** The governing board of a community college district derives its authority from statute and from its status as the entity holding the institution in trust for the benefit of the public. The governing board and the administrators it appoints have the principal legal and public responsibility for ensuring an effective hiring process.
- 5G1C** Faculty members derive their authority from their expertise as teachers and subject matter specialists and from their status as