

APPENDIX A

Participatory Governance Roles and Procedures

Part 1: Roles and Responsibilities of Constituency Groups

CSM uses a constituency-based model to gather input for most College decisions. The four consistencies are the faculty, the classified staff, students, and the administration. For participatory governance matters the faculty are represented by the Academic Senate, the classified staff are represented by the CSEA in approving classified appointments to college committees, the students are represented by the Associated Students of College of San Mateo (ASCSM), and the administration is represented by Management Council. The formal roles of each campus constituency in the participatory governance process defined in District Rules and Regulations 2.08

College of San Mateo defines (participatory) governance as “a set of structures and processes that: involve the genuine participation of faculty, classified staff, students, and administrators; and effectively capture the their collective wisdom and voice to reach the best recommendation(s) for the decision maker(s) and for the good of the campus community “

The constituencies also acknowledge that traditional and legally mandated roles must be maintained. For example, within the context set by statutes and regulations that govern the College, the college president is responsible for the budget and fiscal integrity of the institution and the Academic Senate assumes primary responsibility for making recommendations in areas of curriculum and academic matters. However, to make effective decisions in their areas of responsibility, each constituency must include genuine participation in the decision-making process from other affected constituencies. *Implementing Shared Governance at College of San Mateo*. (1993)

Constituency Group Roles

Academic Senate Role in Participatory Governance

Source: *SMCCCD Rules and Regulations 2.08*

“The Board recognizes the Academic Senate as the official body representing faculty in participatory governance (Title 5, 53200) and the “the right of Academic Senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards”. In academic and professional matters, the Board will rely primarily on faculty expertise through the established Academic Senate processes.

The Academic Senate is expected to provide an opportunity for students and staff to participate effectively in the formulation and development of policies and procedures that have or will have a significant effect upon them. (See Policy 2.05 for the delineation of authority agreement between the Board and the Academic Senates.) “Academic and professional matters” include the following:

- a. curriculum, including establishing prerequisites and placing courses within disciplines;
- b. degree and certificate requirements;
- c. grading policies;
- d. educational program development;
- e. standards or policies regarding student preparation and success;
- f. district and college governance structures, as related to faculty roles;
- g. faculty roles and involvement in accreditation processes, including self-study and annual reports;
- h. policies for faculty professional development activities;
- i. processes for program review;
- j. processes for institutional planning and budget development; and
- k. other academic and professional matters as are mutually agreed upon between the governing board and the academic senate. (Title 5 §53200.c) “

It is common for the College to refer to these items as “10+1” matters.

Classified Staff Role in Participatory Governance

Source: *SMCCCD Rules and Regulations 2.08*

“The Board recognizes CSEA as the official body representing classified staff and considers classified staff to be full participants in shared governance on all items pertaining to their interests (Education Code §70901.2). The selection of classified representatives to serve on District and/or College committees, task forces, or other governance groups shall be made by CSEA with the expectation that all classified staff will be considered in the process of selecting representatives (Title 5 §51023.5).”

In addition, the classified staff at CSM have established a Classified Senate which represents classified employees in non-bargaining issues in the participatory governance process. The Classified Senate also makes recommendations to the CSEA President regarding classified staff appointments from CSM to College and District committees and taskforces.

Student Role in Participatory Governance

Source: *SMCCCD Rules and Regulations 2.08*

“The Board recognizes the Associated Students organizations as the official bodies representing students and considers students to be full participants in shared governance on all items pertaining to their interests. District and College policies and procedures that have or will have a “significant effect on students” include the following (Title 5, §51023.7,4 (b):”

- a. grading policies;
- b. codes of student conduct;
- c. academic disciplinary policies;
- d. curriculum development;
- e. courses or programs which should be initiated or discontinued;
- f. processes for institutional planning and budget development;
- g. standards and policies regarding student preparation and success;
- h. student services planning and development;
- i. student fees within the authority of the district to adopt; and
- j. any other district and College policy, procedure, or related matter that the district governing board determines will have a significant effect on students.

Administrator Role in Participatory Governance

There are many decisions that are not considered academic or professional matters (10+1). In these cases it is the administration that has the primary responsibility and the authority to make the decision. Just as formal 10+1 decisions require the faculty to consult with the other three constituencies, it is the intent of the administration at CSM to consult with College constituencies on other matters. However, not all decisions require the same level of involvement by all participants at all times. Finally, it is important to note that some decisions might be subject to collective bargaining agreements. These decisions may require consultation with the SMCCCD's various bargaining units.

The following list is not intended to be exhaustive, but it does provide some examples of key decisions that are the responsibility of the administration:

Decision	Comments
Course Scheduling	The Vice President of Instruction (VPI) is ultimately responsible for the specific course schedule. The VPI consults with division deans in the development of the schedule. It is the expectation of the administration that division deans consult with division faculty in the development of a schedule that best meets the needs of students within the budgetary constraints of the College. President's Cabinet will consult with the Academic Senate if major changes to the number of offerings and/or the composition of the schedule of courses are anticipated.
College Budget	The college president has the responsibility and the ultimate authority regarding the College budget. At the same time, all College constituencies participate in processes regarding planning and budget development. At CSM, this is accomplished via the College's various institutional planning processes and the College budget reflects the priorities established by these institutional planning processes.

Management Structure	The college president is responsible for recommending the management structure required to administer the College. However, the college president is expected to consult with College constituencies if there are proposed changes to the management structure. Also, new management positions are considered using the College's institutional planning processes. The college president has the final authority in recommending new management positions to the chancellor and to the Board of Trustees.
Classified Staff Structure	The college president is responsible for recommending a classified staff structure to support student learning and College operations. However, new positions are considered using the College's institutional planning processes, which include program review. Certain changes to existing classified staff positions may also be subject to the collective bargaining agreement with the CSEA. Finally, it is important to note that some College support functions are centralized at the District. For example, Security and ITS are both District functions. The College does not make recommendations on district classified staff positions.
Specific Full-Time Faculty Positions	The VPI and vice president of student services (VPSS) are responsible for recommending specific full-time faculty positions to President's Cabinet. The VPI and the VPSS rely on a faculty hiring process, which is documented in detail in Part III of the manual, to prioritize faculty position requests. Among other things, the hiring process is based on program review and includes consultation with faculty at the division level. The College president is ultimately responsible for making specific full-time faculty recommendations to the chancellor and to the Board of Trustees.
College Facilities	Specific instructional facility assignments are the responsibility of the VPI. The VPI works with division deans to schedule room and other facility assignments. Likewise, student support facility assignments are the responsibility of the Vice President of Student Services (VPSS). Recommendations regarding the Facilities Master Plan and other facilities requirements are the responsibility of the college president. The administration is responsible for ensuring that College facilities meet the educational needs of the institution. The administration relies on College planning processes to make recommendations regarding College facilities.

Final Authority for all Decisions

The SMCCCD Board of Trustees (Board) has final authority on all decisions. Formal recommendations to the Board are made through the chancellor-superintendent. The college president makes recommendations to the chancellor-superintendent. The District Academic Senate President makes recommendations to the Board on 10+1 matters. Board membership includes a Student-Trustee who is the official student voice on all matters that are discussed in public meetings. The Student Trustee has an advisory vote to the Board.

The Board operates under the Brown Act. Thus, pending Board actions are publicized and any member of the public may address the Board on agenda or on non-agenda items. Board decisions are deliberated in a public setting, and the minutes of Board meetings are made available to the public.

Part 2: Training and Best Practices

1. Training

- a. General training: The Institutional Planning Committee (IPC) shall develop, and advise the college administration on the implementation of, a participatory governance training program for faculty, classified staff, administrators, and students. By participating in the program, individuals should, at a minimum, acquire or enhance skills in:
 - i. Problem solving and decision making (particularly consensus decision making)
 - ii. Conflict resolution
 - iii. Effective meeting management, facilitation, and participation
 - iv. Data gathering and analysis
 - v. Basic budgeting and accounting
- b. Institutional Planning Committee: As a condition of IPC membership, and in addition to the general training, every member shall, in a manner and to the extent determined by IPC, complete the special IPC training for members.
- c. For more detailed training information, see Appendix C.

2. Consensus Decision Making (Institutional) vs. Robert's Rules of Order (Senates)

3. Defining Quorum

- a. Fifty-percent of the members plus one shall constitute quorum at any meeting of CSM's institutional committees.

4. The Brown Act

The Brown Act is a California state law (California Code Section 54950, et seq.) oftentimes referred to as a "sunshine" law. The intent of the law is to provide the public with reasonable notice of the business that public entities will be undertaking at their meetings. Because they are standing boards that are recognized by the Board of Trustees, which falls under the Brown Act, committees such as the Academic Senate, the Classified Senate, and the Associated Student Senate must follow the rules of the Brown Act. However, many College-level committees, which are advisory, are exempt from the Brown Act.

For the purposes of the Brown Act, a meeting is defined as 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 (§ 54952.2(a)). (The law does provide exceptions for social gatherings and trainings.) The board does not have to be taking a vote or other action for the gathering to be considered a meeting, nor must the members be meeting face-to-face.

5. Best Practices: While the Brown Act may not specifically apply to most College-level committees, it does outline some requirements that may be adopted as best practices.
 - a. Transparency – Unless there is a need for confidentiality, meetings should generally be open to the campus community.
 - b. Quorum – The minimum number of members necessary for a meeting to take place is a simple majority (50 percent plus 1).
 - c. Agendas and Minutes – Agendas for upcoming meetings should be posted at least 72 hours in advance of the meeting in an open and public place accessible by the entire campus community. Minutes, if available, should be distributed at the same time. Agendas and minutes should also be posted online.
 - d. Materials – Any materials made available to the members of the committee should be made available to members of the public.
 - e. Public Participation – As long as they are not disruptive, members of the public should be able to participate in the discussion of agenda items. Reasonable time limits may be placed on discussion in order to make sure the group is able to complete its business.
 - f. Votes – If the group must take a vote on an item (i.e. the consensus model is not being used), all votes should be public and open (no secret ballots).

Also see: *Open and Public V – A Guide to the Ralph M. Brown Act* (2016); League of California Cities.

Note: The above information is being provided as guidance. It is not intended to serve as legal advice. If you have a question about whether or not a committee falls under the Brown Act, please contact the person responsible for that committee for clarification.

6. Robert's Rules of Order
 - a. Overview
 - i. Robert's Rules of Order is a system of parliamentary procedure that is used to insure the smooth operation of meetings of medium to large groups. Continuously updated since the 1870s, it

is utilized by a variety of boards and groups because it provides for the voice of the minority to be heard while allowing the majority to make sure action takes place.

- ii. When applied neutrally, Robert's Rules is an effective tool to facilitate meetings. However, it can be wielded in ways that shut down debate and prevent discussion. It is also extremely complex – the 11th Edition clocks in at over 700 pages. Employing a “loose” or relaxed interpretation of Robert's Rules can help avoid these issues.

b. Best practices

- i. Robert's Rules of Order is not legally mandated or binding. It is simply a guide to help facilitate meetings.
- ii. Motion and Second – A motion to do something – discuss, approve, etc. – means that at least one person in the group is ready to move forward on an item. A second insures that one person isn't dictating the actions of the group. Under Robert's Rules, this is enough for the entire body to take up an item.
- iii. Amendments – Almost any motion can be amended by a member of the board. When handling amendments, it is easiest to ask the members who made the original motion and second if they agree with the amendment. If they do not or if a member objects, the amendment will have to be taken to a formal vote.
- iv. “If There Are No Objections” – The chair may employ this phrase for routine business items, such as approving the agenda or minutes. It saves from having to take a full vote. If a member does voice objection, however, a formal vote is required.

7. Annual Reports

- a. IPC shall create a report of the committee's activities over the academic year, which will be shared with the campus community.
- b. This report should be approved at the final IPC meeting and shared with the campus by the day of commencement.

Part 3: Faculty, Staff, and Student Appointments to Institutional Committees and Task Forces

Evaluation Committees

1. The Evaluation Guidance Committee, which is comprised of representatives from the Academic Senate and AFT, will provide evaluators and evaluatees an orientation to the evaluation process by week 2 of the fall (tenure-track and adjunct evaluations) and the spring (tenured and adjunct evaluations).
2. Tenured Faculty Evaluation Committees: Per Appendix G of the AFT contract, the faculty of each division and their respective deans should create one evaluation committee of three to five tenured faculty for the whole division. The division dean should forward the composition of the tenured faculty evaluation committee to the Academic Senate president for approval by the end of the fall semester.
3. Tenure-Track Faculty Evaluation Committees: Per Appendix G of the AFT contract, tenured faculty should be recommended by division faculty in collaboration with their respective deans to serve on the division's tenure-track evaluation committees. Each member of the faculty going through tenure review should have his/her own committee. The dean should submit the tenure-track evaluation committee to the Academic Senate president for approval by the end of the spring semester (including any changes in membership).
4. Adjunct Evaluators: Per Appendix G of the AFT contract, the evaluatee and division dean should choose a full-time (tenure or tenure-track) evaluator collaboratively. The names of adjunct evaluators do not need to be forwarded to the Academic Senate.

Hiring Committees

1. Hiring Committees for Administrative and Classified Staff
 - a. According to the SMCCCD Human Resources guide "Administrative & Classified Staff Selection Procedures" (Oct. 2014), hiring managers must abide by the following guidelines in creating administrative and classified staff hiring committees:
 - i. "The Office of Human Resources will notify the CSEA of the hiring manager's appointments and nominations for classified members of the screening committee . . . CSEA will notify the Office of Human Resources of its approval of the classified nominees or appoint alternate members within seven (7) calendar days of initial notice to CSEA. If CSEA does not respond within this period of time, the screening process may commence without formal CSEA approval of the screening committee members" (4).
 - ii. "Screening committee members for administrative positions are proposed by the appropriate Vice President, and appointed by the College President or his/her designee . . . The President of the

Associated Students may appoint up to two student representatives to Vice President, President, and Chancellor screening committees. The Academic Senate will appoint faculty members. Classified members of screening committees for administrative positions will be nominated and appointed following the same procedure as outlined for classified positions.”

2. Hiring Committees for Faculty

- a. According to Administrative Policy 3.15.3: Faculty Hiring, “The selection of Screening Committee members will be collaborative. Faculty members on the Screening Committee will be proposed by discipline faculty and the appropriate Dean and approved by the Academic Senate Governing Council. The college administration will identify the name of an administrator to serve on the committee. As appropriate, student representation shall be determined by the President of the Associated Students. If a representative of classified employees is desired, the appointment to the Committee will be made by CSEA. The names of the identified faculty and administrator will be forward for review by the appropriate Vice President and College EEO Committee (within the scope of its responsibility). The College President will appoint the Screening Committee upon review of the proposed Committee members.”

Institutional Committee Appointments

1. Faculty Appointments

- a. Per Title V 53203(f), the Academic Senate is responsible for “the appointment of faculty members to serve on college or district committees or task forces, or other groups dealing with academic and professional matters.”
- b. Administrators should collaborate with the Academic Senate president to identify faculty to serve on the above committees.
- c. Faculty nominations will be approved at regular Academic Senate meetings, and the committee chair or responsible administrator should submit the names to the Academic Senate president the Thursday before the Academic Senate meeting, per the Brown Act.
- d. Per the Academic Senate by-laws, the Academic Senate president, in collaboration with the Academic Senate executive committee, will approve faculty nominees to college committees, as needed (e.g. during winter and summer recesses).

2. Classified Staff Appointments

a.

3. Associated Student Appointments

a.

4. Removal of Committee Members

- a. If an individual who holds membership by virtue of his or her office ceases to hold that office, they shall cease to be a member.
- b. Any designated members may be removed, with or without cause, by the organization that designated the member (e.g. Academic Senate, ASCSM, Cabinet, Classified Senate, CSEA).
- c. If an individual's term has expired, he or she shall cease to be a member unless their term is renewed by the organization that designated the member.

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