

Imperial Valley College Academic Senate Handbook

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Code of Ethics and Conduct for the Academic Senate of Imperial Valley College

In Order to fulfill its mission and goals, the members of the Academic Senate of Imperial Valley College as a whole will strive to uphold these standards:

1. Recognizing that we represent the entire faculty, we will rely primarily on faculty input and feedback when making decisions;
2. Honoring the opinions and values of other senators by following the procedures specified in Robert's Rules of Order, we will maintain an atmosphere in which controversial issues can be debated openly, with respect given to all individuals;
3. Creating an environment of mutual trust, respect, and appreciation, we will openly communicate with and work with the Board of Trustees and the College Administration to develop and implement policies on academic and professional matters;
4. We will maintain confidentiality of all privileged information;
5. We will conduct Senate business in public sessions and meet in closed session only as permitted by the Brown Act;
6. We will stay informed on educational issues; and
7. We will fulfill the obligations of Senators as set forth in the Constitution and bylaws of the IVC Academic Senate.

Constitution of the Academic Senate of Imperial Valley College

Article 1 – Name and Authority

The name of this organization shall be the Academic Senate of Imperial Valley College, Imperial, California.

Pursuant to California Education Code and Title V Code of Regulations, the Academic Senate of Imperial Valley College shall make recommendations to the Board of Trustees on Academic and Professional Matters.

Article 2 – Purpose

It shall be the purpose of the Academic Senate to:

1. Represent the faculty of Imperial Valley College to ensure a formal and effective procedure for participating in the formation of policies and procedures on Academic and Professional matters.
2. Promote and preserve the integrity of the educational program.
3. Facilitate communication between the faculty, the Board of Trustees, and the administration.
4. Develop policies and procedures related to Academic and Professional matters and to promote their implementation.
5. Assist the members of the faculty of Imperial Valley College in exercising their voice on Academic and Professional matters.
6. Develop, communicate, and encourage ethical and professional conduct.
7. Advise the Board of Trustees and administration on Academic and Professional matters.
8. Represent Imperial Valley College to other faculties and to the Academic Senate of California Community Colleges.
9. Reach mutual agreement with the College President on matters relating to equivalency, hiring procedures, administrative retreat rights, and Academic and Professional matters pursuant to the provisions of the Education Code.

Article 3 – Membership

Membership in this organization shall be limited to contract, regular, and categorically funded academic employees of Imperial Valley College.

Article 4 – Amendments

A copy of any proposed amendment to this Constitution must be sent two weeks in advance to all faculty members of the College by the Academic Senate Secretary.

This Constitution may be amended by a majority vote of the whole faculty, not merely the majority of those voting.

Bylaws
Academic Senate of Imperial Valley College

ARTICLE I – Officers of the Academic Senate

Section I. List of Officers

The officers of the Academic Senate of Imperial Valley College shall include the president, vice-president, secretary, and treasurer.

Section II. Academic Senate President

- A. In accordance with Article IV of this document, the faculty shall elect the president during the first six weeks of the spring semester.
- B. Candidates for this office must have previous experience in the Academic Senate of Imperial Valley College within the last three years.
- C. The president shall receive reassigned time as written in the faculty contract.
- D. The duties of the president are to:
 - 1. Facilitate communication among the faculty, administration and board of trustees
 - 2. Jointly develop, with representatives of the board of trustees, recommendations relating to academic and professional matters for the senate to consider
 - 3. Present recommendations considered and approved by the academic senate to the administration and board of trustees on academic and professional matters
 - 4. Assure and manage adequate resources for the academic senate
 - 5. Assign faculty members to academic senate standing and ad hoc committees, subject to approval by the academic senate
 - 6. Serve as the official spokesperson and advocate for the academic senate on academic and professional matters
 - 7. Engage in ongoing discussions with faculty on issues of the day
 - 8. Meet with new faculty members once a semester for the first year to discuss any issues and further familiarize them with shared governance
 - 9. Endorse senate-approved documents
 - 10. Facilitate the development and airing of faculty concerns

11. Identify and address regulatory issues as they relate to academic and professional matters, and organize a faculty response in a collegial and timely manner
12. Provide initiative in identifying and pursuing important institutional issues
13. Participate in the development of institutional policy by sitting on the board policy and procedures committee
14. Develop agenda and conduct meetings of the academic senate
15. Attend and participate in meetings of the board of trustees
16. Provide leadership to academic senate committees to ensure productive and efficient completion of tasks
17. Meet with the college administrative staff as needed
18. Assist in the orderly transfer of authority to the president elect of the academic senate
19. Attend and participate in the fall and spring academic senate plenary sessions and the area pre-conference meetings (The president may send a representative if he or she is unable to attend.)
20. Interact with the statewide academic senate and academic senates of other California community colleges
21. Keep abreast of deliberations of organizations that impact California community college
22. Forward to the academic senate secretary any important correspondence for filing
23. After consultation with the college president, the academic senate president may present the views and recommendations of the academic senate directly to the board of trustees.
24. Appoint faculty members to the college standing committees

Section III. Vice-president

- A. The academic senate shall elect the vice-president from its members.
- B. The duties of the vice-president are as follows:
 1. Act as president in the absence of that officer
 2. Perform such functions as the academic senate president may assign to assist in carrying out the purposes and policies of the academic senate

Section IV. Secretary

- A. The academic senate shall elect the secretary from its members.
- B. The secretary shall receive reassigned time as written in the faculty contract.
- C. The duties of the academic senate secretary are to:
 - 1. Record and ensure that minutes of academic senate meetings are published in a timely manner and that they accurately reflect the content of the meetings
 - 2. Conduct the general and special elections of the academic senate
 - 3. Maintain a file with all original adopted minutes of the academic senate
 - 4. Keep a copy of all documents distributed in academic senate meetings
 - 5. Keep a copy of all correspondence that has been forwarded by the academic senate president

Section V. Treasurer

- A. The academic senate shall elect the treasurer from its members.
- B. The duties of the academic senate treasurer are to:
 - 1. Develop the annual academic senate budget in March in consultation with the academic senate president and vice-president of academic services and submit to the vice-president of business services
 - 2. Generate purchase orders to pay for all academic senate expenditures and keep records of revenue and expenditures
 - 3. Provide financial reports to the academic senate

ARTICLE II – Senate Composition

- A. The academic senate shall consist of twenty-two (22) members.
- B. The academic senate shall be composed as follows:
 - 1. Academic senate president, elected at large
 - 2. Nine (9) senators, elected at large

3. Division senators, elected by the members of the following divisions:

Behavioral Science / Social Science
Exercise Science, Wellness & Sports
English
Humanities
Science/Mathematics/Engineering
Business
Nursing
Counseling
Learning Services
Industrial Technology

4. Two part-time faculty members, elected by the part-time faculty

C. Ex officio participants (non-voting members):

1. Immediate past president
2. Vice-president of academic services
3. Student representative

ARTICLE III – Meetings, Quorum, Voting, and Agenda Items

Section I. Meetings

- A. At its first meeting, the academic senate shall decide on the dates and times of the regular meetings during the academic year.
- B. The academic senate shall meet twice a month during the academic year.
- C. Special meetings may be called by the academic senate president or by any seven members of the academic senate. In compliance with the Brown Act, members will be given notice of the meeting at least twenty-four hours before the meeting.
- D. The board of trustees and administration will be extended invitations to attend all meetings of the academic senate and shall receive minutes of academic senate meetings.
- E. Closed meetings of the academic senate can be declared by a majority vote of the academic senate in accordance with the Brown Act.
- F. *Robert's Rules of Order, Revised* shall provide procedures for governing meetings of this organization and work will be done by local resolution as defined by Section IV of Article III of these bylaws.

Section II. Quorum

A majority of the voting members of the academic senate shall constitute a quorum.

Section III. Placing of Items on the Agenda of the Academic Senate

Any member of the Imperial Valley College community may place an item on the academic senate agenda. An item may be placed on the agenda by contacting the academic senate president. If appropriate, background information should be submitted to the academic senate president three days prior to an academic senate meeting.

Section IV. Voting

- A. All actions of the academic senate are binding unless or until they are repealed either by the academic senate or by a faculty vote. In the case of the faculty vote, at least two-thirds of the faculty (not merely two-thirds of those voting) shall constitute a decision to repeal an action of the academic senate.
- B. Resolutions may be drafted in committee or by individuals who are academic senators. The attached form must be completed to present the resolution.
- C. Resolutions should be submitted for first reading at an academic senate meeting. Action may be taken at a following meeting. This process may be changed by a suspension of the rules as defined by *Robert's Rules of Order, Revised* for urgent situations.
- D. Resolutions for action should be attached to the meeting agenda and distributed to the faculty at least three days in advance of the scheduled meeting.
- E. Resolutions submitted for first reading should correspond to an identified agenda item. Copies for distribution should be available at the academic senate meeting.
- F. Resolutions may be amended for further clarification, addition, or deletion, as defined by *Robert's Rules of Order, Revised*.
- G. Resolutions may be substituted with another resolution on the same topic. The substitution should be submitted in writing before considering the original resolution.
- H. Resolution amendments and/or substitutions will be considered before the original resolution.
- I. Discussion on resolutions or amendments should have a pre-set time limit.
- J. While the senate is debating a motion, the president may recognize pro and con arguments alternately, as defined by *Robert's Rules of Order, Revised*.
- K. Any attendee at the senate meeting may engage in the debate.

- L. A majority of the voting senate members present may carry a resolution.
- M. Approved resolutions should be forwarded to the appropriate parties by the academic senate president.

ARTICLE IV – Elections, Terms of Office, and Vacancies for the Academic Senate President and the nine senators elected at large.

Section I. Nomination and Election of Senate Members under Article IV

- A. The faculty at large shall elect the academic senate president in the first six weeks of the spring semester.
- B. Full-time faculty shall elect their senators during the first six (6) weeks of spring semester of each year.
- C. For terms that expire on the last day of the spring semester of that year, the secretary shall issue to each qualified member of the faculty a notice of vacancy and a blank declaration of candidacy.
- D. A signed statement of declaration of candidacy must be returned to the secretary no later than one week from the date and hour of the notice.
- E. A sample ballot indicating certified candidates, time, date, and place of the election shall be distributed to each faculty member no fewer than five days before the election.
- F. Absentee ballots may be obtained from the secretary.
- G. Elections shall be conducted by secret ballot.
- H. Immediately following the voting, a team of no fewer than three faculty members, including an academic senate member, shall count the ballots and certify with their signatures, the results of the election and report the results to the faculty.
- I. Academic senators must be elected by a majority vote.

Section II. Vacancies from Senate members under Article IV

- A. Vacancies on the academic senate shall be declared in the following manner:
 - 1. Within ten (10) days following the declaration by the president of vacancies due to absences or resignation, the secretary shall issue to each qualified faculty member a notice of the unexpired term and a blank declaration of candidacy.

2. Within ten (10) days following the declaration by the president of a temporary vacancy (e.g., sabbatical leave), the secretary shall issue to each qualified faculty member a notice of the temporary vacancy and a blank declaration of candidacy.
- B. A signed statement of declaration of candidacy must be returned to the secretary no later than one week from the date and hour of notice.
 - C. A sample ballot indicating certified candidates, and the time, date, and place of the election shall be distributed to each faculty member no fewer than five days before the election.
 - D. Absentee ballots may be obtained from the secretary.
 - E. On election day, the secretary shall set up a poll with a voting booth and a ballot box in the faculty lounge. Faculty members who are not candidates for election shall be assigned to distribute one ballot to each faculty member who wishes to vote. Each voter shall initial a voting register provided by the secretary.
 - F. Immediately following the closing of the polls, a team of no fewer than three full-time faculty members with an academic senate member, shall count the ballots and certify with their signatures the results of the election and report the results to the faculty.
 - G. Academic senators must be elected by a majority vote.

Section III. Terms of Office of Senators under Article IV

- A. With the exception of the president, each member of the academic senate shall serve three-year, staggered terms with one-third of the members being elected each year. Terms begin on July 1st and end on June 30th.
- B. The academic senate president shall serve a term of one year, effective July 1st and continuing until June 30th. The president may be reelected, but shall serve no more than three consecutive one-year terms.
- C. Any senator who accumulates three consecutive absences without cause acceptable to the academic senate shall have his or her membership reviewed. The academic senate may elect to excuse, censure, or authorize the academic senate president to declare the position vacant.

Section IV. Recall Elections of Academic Senate Members under Article IV

- A. A recall election of any senator elected at large may be initiated by a petition signed by one-third of the full-time faculty. A statement of the reasons for the proposed recall shall be a part of the petition.
- B. Each person named in the recall petition shall have the right to make and distribute at his or her own expense a statement or statements to the faculty.

- C. Recall elections shall be held within twenty duty days of the time the petition is delivered to the academic senate president or secretary. The recall election shall be by secret ballot.
- D. A vote of two-thirds by the full-time faculty members (not merely two-thirds of those voting) shall be required to sustain a recall.

ARTICLE V – Elections, Terms of Office, and Vacancies for the Division Senators

Section I. Nomination and Election of Senators under Article V

- A. Each academic year, the members of each respective division shall elect their division senator.
- B. Procedures for the election shall be determined by each respective division.

Section II. Vacancies under Article V

- A. Within five days following the declaration by the academic senate president of a vacancy due to absences or resignation, the respective division shall apply Section I, Article V to fill the vacancy.
- B. Within five days following the declaration by the academic senate president of a temporary vacancy, the respective division shall comply with Section I, Article V to fill the vacancy for the duration of the temporary vacancy.

Section III. Terms of Office of Senators under Article V

- A. Each member of the senate shall serve for the duration of his or her term as division senator.
- B. Any senator who accumulates three consecutive absences without cause acceptable to the academic senate shall have his or her membership reviewed.

Section IV. Recall Elections of Senators under Article V

- A. Division senators may be recalled only by their own respective division members.
- B. Procedures for a recall of a division senator shall be established by each respective division.

Article VI – Elections, Terms of Office, and Vacancies for Part-time Faculty

Section I. Nomination and Election of Senators under Article VI

- A. Each academic year, the members of the part-time faculty shall elect two senators from among the part-time faculty.
- B. Procedures for the election shall be determined by the part-time faculty.

Section II. Vacancies from Senate members under Article VI

- A. Vacancies of part-time senators shall be declared in the following manner:
 - 1. Within ten days following the declaration by the president of vacancies of part-time faculty due to absences or resignation, the secretary shall issue to each qualified part-time faculty member a notice of the unexpired term and a blank declaration of candidacy.
 - 2. Within ten days following the declaration by the president of a temporary vacancy (i.e., sabbatical leave), the secretary shall issue to each qualified part-time faculty member a notice of the temporary vacancy and a blank declaration of candidacy.
- B. A signed statement of declaration of candidacy must be returned to the secretary not later than one week from the date and hour of notice.
- C. A sample ballot indicating certified candidates, and the time, date, and place of the election shall be distributed to each part-time faculty member not less than five days before the election.
- D. Absentee ballots may be obtained from the secretary.
- E. On or before election day, ballots shall be distributed online and/or via mail by the secretary.
- F. Immediately following the closing of the polls, a team of not less than three part-time faculty members with an academic senate member, shall count the ballots and certify with their signatures, the results of the election and report the results to the part-time faculty.
- G. A majority of those voting shall be required to elect an academic senator.

Section III. Terms of Office of Senators under Article VI

- A. Each part-time member of the academic senate shall serve a one-year term, beginning on the first day of employment in the fall semester.
- B. Any part-time senator who accumulates three consecutive absences without cause acceptable to the academic senate shall have his or her membership reviewed. The academic senate may elect to excuse, censure, or authorize the academic senate president to declare the position vacant.

Section IV. Recall Elections of Academic Senate Members under Article VI

- A. A recall election of any part-time senator elected at large may be initiated by a petition signed by one-third of the part-time faculty. A statement of the reasons for the proposed recall shall be a part of the petition.
- B. Each person named in the recall petition shall have the right to make and distribute at his or her own expense a statement or statements to the part-time faculty.
- C. Recall elections shall be held within twenty duty days of the time the petition is delivered to the academic senate president or secretary. The recall election shall be by secret ballot.
- D. A vote of two-thirds by the part-time faculty members (not merely two-thirds of those voting) shall be required to sustain a recall.

ARTICLE VII – Committees of the Academic Senate

- A. The academic senate president shall assign faculty members to academic senate standing and ad hoc committees, which is subject to approval by the academic senate.
- B. Whenever possible, the academic senate president will request volunteers prior to assigning members to work on a committee.
- C. The standing committees of the academic senate shall be:
 - 1. Curriculum & Instruction
 - 2. Flex Committee/Staff Development
 - 3. Equivalency
 - 4. Learning Support Services
 - 5. Distance Education
 - 6. Matriculation
 - 7. New Faculty
 - 8. Student Learning Outcome
 - 9. Basic Skills Initiative
 - 10. Admissions, Registration and Petitions

ARTICLE VIII – Amendments

A copy of any proposed amendments to the academic senate bylaws must be sent five days in advance to every faculty member by the secretary.

These bylaws may be amended by a majority vote of the faculty who vote.

Academic Senate Committees

1. Curriculum

Old Board Policy 3.24.2.5 – Curriculum and Instruction Committee
(Board Resolution No. 11063)

The Curriculum and Instruction Committee shall serve in an advisory capacity to the Academic Senate by developing policy recommendations and procedures on Academic and Professional matters.

The three areas in which the Board of Trustees have elected to “rely primarily” on the advice and judgment of the Academic Senate and for which the Curriculum and Instruction Committee will provide policy recommendations and procedures are:

1. Curriculum, including establishing prerequisites and placing courses with disciplines
2. Degree and Certificate requirements
3. Grading policies

In addition, graduation requirements, general education requirements, transfer requirements, articulation agreements and other matters relating to the curriculum may be reviewed by the Curriculum and Instruction Committee for formulating policy recommendations and procedures to the Academic Senate.

The Curriculum and Instruction Committee will also serve in an advisory capacity to the Academic Senate and the Chief Executive Officer, the Board of Trustees designee, on academic and professional matters on areas where mutual agreement must be reached before being submitted to the Board of Trustees. The eight areas that the Curriculum and Instruction Committee will provide policy recommendations and procedures to the Academic Senate and the Chief Executive Officer are:

4. Educational program development
5. Standards or policies regarding student preparation and success
6. College governance structures, as related to faculty roles
7. Faculty roles and development in accreditation processes
8. Policies for faculty professional development activities
9. Processes for program review
10. Processes for institutional planning and budget development
11. Other academic and professional matters as mutually agreed upon.

In addition, community needs assessment, instructional methodologies, catalog and schedule development, and other matters relating to programs and instruction may also be reviewed by the Curriculum and Instruction Committee for formulating policy recommendations and procedures to the Academic Senate and the Chief Executive Officer.

VOTING MEMBERS

The voting members will be the Chief Instructional Officer (CIO), Academic Senate representative, division chairpersons, Dean of Vocational Education, Dean of Learning Services, Director of Nursing Education and Health Technologies, Vice President of Student Services, and the Associated Student Government representative.

The consulting members will be the Dean of Admissions, Matriculation Coordinator, Dean of External Campus Programs, and the Transfer Center Director

The Curriculum and Instruction Committee members are to attend all Curriculum and Instruction meetings or send their representative.

OPERATING GUIDELINES

The Chief Instructional Officer and the Academic Senate representative will co-chair the committee. Both the Chief Instructional Officer and the Academic Senate representative will sign off on approved committee action. Per Board Resolution No. 10641 (Shared Governance) both the Chief Instructional Officer and the Academic Senate representative will address the Curriculum and Instruction items to the Board of Trustees.

Items approved by the Curriculum and Instruction Committee will be sent to the Academic Senate for action prior to being placed on the agenda for the Board of Trustees.

The Chief Instructional Officer is responsible for providing clerical and administrative support to prepare and distribute agendas and minutes, place Curriculum and Instruction matters on the Board agenda, and coordinate projects as directed by the Curriculum and Instruction Committee.

REVIEW AND REVISION

The function, membership, and procedures of the Curriculum and Instruction Committee will be subject to review every two years by the Board of Trustees, or its designee, and the Academic Senate. In addition, this section may be reviewed by mutual agreement of the Board of Trustees, or its designee, and the Academic Senate.

2. Educational Policies

Activation of Senate Subcommittee: Educational Policies (09-01-2004)

The IVC Academic Senate charges the Educational Policies subcommittee to study educational issues of concern to the Academic Senate, to participate with the Policies and Procedures Task Force in the development of recommendations for the Academic Senate and the ICCD Board of Trustees, and to be the standing committee that recommends educational policies and procedures to the full Academic Senate for approval.

3. Standards and Practices

Activation of Senate Subcommittee: Standards & Practices (09-01-2004)

The IVC Academic Senate charges the Standards & Practices subcommittee to conduct various activities as needed and assigned by the President of the IVC Academic Senate and to make recommendations to the full Academic Senate for approval. The Standards & Practices subcommittee's activities include, but are not limited to, conducting Disciplines List hearings, monitoring compliance with the Full Time/Part Time Ratio (75/25 rule), reviewing the faculty role in accreditation, reviewing Senate bylaws and rules, administering designated awards presented by the Academic Senate, and drafting position papers and resolutions on issues of concern to IVC faculty.

4. Faculty Professional Development

Activation of Senate Subcommittee: Faculty Professional Development
(09-01-2004)

The IVC Academic Senate charges the Faculty Professional Development subcommittee to develop processes and activities to promote good practices in faculty development. The subcommittee should provide guidance in all aspects of faculty development including the development of innovations in teaching/learning strategies and the promotion of academically sound teaching/learning practices.

5. Equivalency

Old Board Policy 3.5.8.4 – Equivalency Committee Membership

1. The Equivalency Committee shall consist of three faculty members, appointed by the Academic Senate President, two full-time faculty members from the division or department in which the candidate will be employed, and the Chief Instructional Officer or Chief Student Services Officer or their designee.
2. The chair of the Equivalency Committee shall be selected by the members of the committee.
3. Up to two additional full-time faculty members or appropriate administrators with expertise in the academic area in which the applicant is to work may serve on the Equivalency Committee. When a full-time faculty member is not available from the academic area, a faculty member from a related academic area may substitute.

Old Board Policy 3.5.8.5 – Equivalency Committee Procedures

1. To assure campus-wide consistency in applying equivalency criteria, the Human Resources Office shall send to the Equivalency Committee all applications which fail to meet minimum qualifications.
2. For approval of equivalency, a majority vote of the Equivalency Committee is required. A majority of the members of the committee shall constitute a quorum, however at least one division/department representative must be in attendance for a decision to be rendered.
3. The Equivalency Committee shall make its recommendations to the Selection Committee in a timely manner.
4. A disposition form will be completed for each candidate considered for equivalency and kept on file in the Human Resources Office with a copy sent to the Office of Instruction.

BP 2000 Setting Policy

Reference: (New BP)

The Imperial Community College District Board of Trustees believes that a major trustee role is to set policy for the District. In setting policy, the Board wants to create and work within a participatory environment with respect for students and all employee groups. For developing policies regarding the academic and professional matters numbers a, b, and c, the Board will consult collegially with the faculty by relying primarily on the advice and judgment of the Academic Senate (per previous agreement with the Senate).*

For developing policy regarding the other five academic and professional matters, the Board will consult with the faculty through the mutual agreement process previously agreed upon. At Imperial Community College District, the mutual agreement process is the use of the shared governance structures consisting of councils, committees, and the Coordinating Board. Further, representatives of staff and student groups are encouraged to work within the established processes to address the issues of the District.

The Board of Trustees values consensus building; however, it realizes its legal responsibility to make final decisions regarding policy.

Legal Reference: Title 5 sections 51023.5-51023.7 and 53200-53204.

*For the following items, the Board of Trustees will rely primarily upon the advice of the Academic Senate:

- a. Curriculum, including establishing pre-requisites and placing courses within disciplines.
- b. Degree and Certificate requirements.
- c. Grading policies

For the following items, the Board of Trustees will come to mutual agreement with the Academic Senate:

- 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 development in accreditation processes.
- h. Policies for faculty professional development activities.
- i. Processes for program review.
- j. Processes for institutional planning and budget development.

Old Board Policy 3.7 – Shared Governance (Board Resolution Nos. 10338, 10641, 11062)

Education Code Section 70902 (b) (7) states that each local governing board shall:

Establish procedures not inconsistent with minimum standards established by the board of governors 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 to participate effectively in district and college governance, and the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards.

The Board of Trustees of Imperial Valley College hereby adopts the following policy to ensure faculty, staff, students, and administrators the opportunity to participate effectively in college governance.

3.7.1 – COLLEGE COUNCIL

1. Philosophy

Shared governance is a decision-making process committed to the best interests of our students and our institution based upon participation of those affected by decisions an environment of cooperation and trust.

One of the basic principles of academic governance in higher education is that effective decisions derive from the powers vested by law in governing boards, the faculty, staff, students, and administrators. Because these sources of information are vital to the development and implementation of sound educational policy, Imperial Valley College wishes to encourage to the best extent possible the practice of shared governance.

Shared governance recognizes and, indeed, is predicated on the sincere commitment on the part of all participants to our students, our professions, and our institution. It is a complex process of consultation that demands from faculty, staff, students, and administrators, a respect for divergent opinions, a sense of mutual trust, and a willingness to work together for the good of the instructional enterprise.

Shared governance embraces the basic objective that all key parties of interest should be given the opportunity to participate jointly in developing recommendations and priorities for the well-being of the institution.

2. Purpose

- a. To ensure faculty, staff, students, and administrators the opportunity to express their opinions and ideas at the campus level and to ensure that these opinions and ideas are given every reasonable considerations.
 - b. To establish a process which allows faculty, staff, students, and administrators the opportunity to make recommendations to the College President or other policy making college committees.
3. Functions
- a. To convey to the College President the views of the campus community on matters relevant to the orderly functioning of the college.
 - b. To make recommendations to the College President on which college committees or task forces are needed or should be activated.
 - c. To make recommendations on proposed college policies developed by the College President or other policy making college committees.
 - d. To disseminate proposed or current policy and regulations to the constituent groups for feedback prior to making recommendations to the College President or other policy making college committees.
 - e. To allow for discussion and recommendations to be a shared process by representatives of all four constituent groups.
4. Structure
- a. The following college constituencies retain all rights granted by law and/or regulations. The four groups represented in this shared governance structure are faculty, classified staff, students, and administrators.
 - b. The permanent members of the College Council are:
 - (1) Three faculty members: two faculty appointed by the Academic Senate, one faculty elected at large.
 - (2) Three classified at large.
 - (3) Three students at large.
 - (4) Three administrators: one non-instructional, two instructional.
 - (5) The College President is an ex-officio member.
 - (6) The Executive Director is an ex-officio member.
 - c. A Chair and Vice Chair will be elected by the members of the College Council.
 - d. The College Council may create ad hoc committees as needed to address college-wide issues and task forces to address specific (single item) issues.

- e. Operational procedures for the College Council will be developed and maintained by its members.
- f. This section of the Imperial Valley College Shared Governance Policy shall be subject to review every two years by the College Council or as directed by the Board of Trustees or its designee. When members of the College Council approve proposed revisions to this section, the recommendations will be presented to the College President and, thereafter, to the Board of Trustees.

3.7.2 – ACADEMIC SENATE

When presented with policies on the following Academic and Professional Matters, the Board of Trustees elects to rely primarily on the advice and judgment of the Academic Senate:

- a. Curriculum, including establishing pre-requisites and placing courses within disciplines;
- b. Degree and Certificate requirements; and
- c. Grading policies.

When presented with policies on the following Academic and Professional Matters, the Board of Trustees elects for mutual agreement between the Academic Senate and the Board of Trustees, or its designee:

- d. Educational program development;
- e. Standards or policies regarding student preparation and success;
- f. College governance structures, as related to faculty roles;
- g. Faculty roles and development in accreditation processes;
- h. Policies for faculty professional development activities;
- i. Processes for program review; and
- j. Processes for institutional planning and budget development.

Procedures to “rely primarily on the advice and judgment of the Academic Senate.”

Primary responsibility is not construed by the Academic Senate to mean sole responsibility. The Academic Senate shall consult with students, staff, and administration, providing them with a place to participate and hear their views before it engages in any kind of academic policy development. In addition, when an Academic Senate committee prepares policy in an area where the Academic Senate has been delegated primary responsibility, it will consult with the College President throughout the development of the policy. Once approved by the Academic Senate, the policy will be sent to the College President to be placed on the agenda of the next meeting of the Board of Trustees.

Procedures to reach “mutual agreement by written resolution.”

The faculty and administration shall consult with students and staff, providing them with a place to participate and hear their views before reaching mutual agreement and recommending a policy to the Board of Trustees. After the Academic Senate and the Board of Trustees, or its designee, reach mutual agreement, the policy shall be placed on the agenda of the next regular meeting of the Board of Trustees.

Review and Revision

1. This section shall be subject to review every two years by the Board of Trustees or its designee and the Academic Senate. In addition, this section may be revised by mutual agreement of the Board of Trustees, or its designee, and the Academic Senate.
2. The Academic Senate, while in the process of consulting collegially, 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 (Section 53203c).
3. After consultation with the administration of the college, the Academic Senate may present its views and recommendations to the Board of Trustees (Section 53203c).
4. When the Board of Trustees elects to rely primarily upon the advice and judgment of the Academic 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. Upon request of the Academic Senate, the Board of Trustees will promptly communicate in writing its reasons for not accepting a recommendation of the Academic Senate (Section 53203d).
5. When 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 such policy exposes the district to legal liability or substantial fiscal hardship (Section 53203d).
6. When the Board of Trustees elects to provide for mutual agreement with the Academic Senate, and there is no existing policy, the governing board may act, after a good faith effort to reach agreement, only for compelling legal, fiscal, or organizational reasons (Section 53203d).
7. 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, by the Academic Senate (Section 53203f).

Summary of AB 1725

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 87615 (b) – Minimum Degree Requirements; Exceptions

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 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.

Summary of Title V – California Code of Regulations

Section 53200 – Definitions

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

Academic and Professional matters means the following policy development matters:

1. Curriculum, including establishing prerequisites.
2. Degree and certificate requirements.
3. Grading policies.
4. Educational program development.
5. Standards or policies regarding student preparation and success.
6. College governance structures, as related to faculty roles.
7. Faculty roles and involvement in accreditation processes.
8. Policies for faculty professional development activities.
9. Process for program review.
10. Processes for institutional planning and budget development.
11. Other *academic and professional matters* as mutually agreed upon.

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.

Section 53203 – Powers

- A) The governing board shall adopt policies for the appropriate delegation of authority and responsibility to its college *academic senate*.
- B) In adopting the policies described in section (a), the governing board or designees shall *consult collegially* with the *academic senate*.
- C) While *consulting collegially*, the *academic senate* shall retain the right to meet with or appear before the governing board with respect to its views and recommendations. In addition, after consultation with the administration, the *academic senate* may present its recommendations to the governing board.

D) The governing board shall adopt procedures for responding to recommendations of the academic senate that incorporate the following:

1. When the board elects to rely primarily upon the advice and judgment of the academic senate, the recommendation of the senate will normally be accepted, and only in exceptional circumstances and for compelling reasons will the recommendations not be accepted.
2. When the board elects to provide for mutual agreement with the academic senate, and an agreement has not been reached, existing policy shall remain in effect unless such policy exposes the district to legal liability or fiscal hardship. In cases where there is no existing policy, or when legal liability or fiscal hardship requires existing policy to be changed, the board may act, after a good faith effort to reach agreement, only for compelling legal, fiscal, or organizational reasons.

E) An academic senate may assume such responsibilities and perform such functions as may be delegated to it by the governing board.

F) The appointment of faculty members to serve on college committees shall be made, after consultation with the chief executive officer or designee, by the academic senate.

Basic Motions

Basic Motion	Vote Required	Debatable	Amendable	Comments
Main Motion	Majority	Yes	Yes	Once stated by the chair, the motion becomes the property of the assembly as is pending. Pending motions may be perfected by amendment or substitute motion. The motion as stated by the Chair prevails despite variation from the working of the maker.
Amend	Majority	Yes	Yes	Any form seeking to change the main motion.
Substitute	Majority	Yes	Yes	The substituting of an entire motion on the same subject for one pending.
Postpone	Majority	Yes	Yes	“Indefinitely” / “table” should not be used.
Refer	Majority	Yes	Yes	To refer matter to committee (recommit).
Close Debate	2/3	No	No	Move the question / call the question.
Divide Question	Majority	Yes	Yes	When the question contains two separate matters.
Voting	Majority, except roll call.	No	No	A member may demand a show of hands. A counted vote is used when the Chair is unsure.
Request	Majority	No	No	To withdraw a motion. To dispense with reading of the minutes. Use when suspension of rules not required.
Suspend Rules	2/3	No	No	To limit or extend debate. To take a matter out of its order.
Point of Order	Decision of Chair	No	No	Brief assertion that a rule is being violated. Make can appeal but must be seconded.
Appeal	Majority	Yes	No	A tie vote or less than a majority causes the appeal to fail.

Closed Session Summary

Attendees must be:

1. Members of the body;
2. Necessary support staff; or
3. Witnesses.

Topics that may be discussed include:

1. Personnel;
2. Pending litigation;
3. Real estate negotiations;
4. Labor negotiations;
5. Student discipline;
6. Grand jury testimony; and
7. Threats to public services and facilities.

Note: It is not enough that a subject is sensitive, embarrassing, or controversial. Without specific authority for a closed session, a matter must be discussed in public.

Description of closed session items:

Before any closed session, the body must disclose, either by stating on the agenda or by public disclosure, the agenda items to be discussed, with a description of the item. No other items may be discussed.

Reconvening in open session:

After a closed session, the legislative body must reconvene in open session at pronounced location and disclose the substance (including documentation when finalized) of certain actions taken in closed session and how each member voted.

Brown Act Overview

To whom does the act apply?

The act applies to “Legislative bodies” of all “local agencies.” [This includes cities, counties, special and school districts, and boards, commissions, or agencies established from them.]

1. Governing body.
2. Commissions and committees, whether permanent or temporary, decision making or advisory, created by charter, ordinance, resolution, or formal action.

What is a “meeting” of a legislative body?

- A. A meeting is any congregation of the majority of members of the legislative body – even in a casual or coincidental setting – where the members hear or talk about matters within the agency’s jurisdiction.
- B. They may attend conference or public meeting regarding topic of local community concern and discuss among themselves issues that are part of the scheduled program.

Note: Activities such as extraterritorial “retreats” and “workshops” are now clearly prohibited under the Act.

Agenda Requirements

- A. Agenda posting:
 1. 72 hour requirement.
 2. Must contain brief description of each item, including closed session items; must specify meeting time and location.
 3. Must provide public opportunity to comment on any item within the agency’s jurisdiction and of interest to the public.
 4. Non-agenda items can be raised by the public or members may make brief announcements or reports on its own activities but no action can be taken.
 5. Action on unlisted items is permitted if a majority vote establishes an emergency situation or the item is a holdover from a meeting less than five days previous.
- B. Agenda contents:
 1. All items must contain brief but specific descriptions.

2. No more “old business/new business,” etc. Even closed session items require a description.
3. All writings distributed to a majority of the legislative body by any person are disclosable public records, to be made available upon request without delay. Closed session documents are likewise public records unless otherwise protected.

C. Other Agenda requirements:

1. Special meetings: written notice shall specify time, place, business to be transacted and discussed; notice must be sent and posted at least 24 hours before the meeting. A special meeting may be called by the presiding officer or by a majority of members.
2. Emergency meetings shall be included in call notice, posted, and sent out by “most rapid means.”

IVC Academic Senate Agenda Sample

A G E N D A
IVC Academic Senate
Date
2:00 p.m. – Board Room

- I. Call to Order by President
Roll Call by Secretary
- II. Visitor Comments
At this time persons may speak to the Academic Senate either on an agenda item or on other matters of interest to the public that are within the subject matter jurisdiction of the Academic Senate. However, please note that this is an open meeting, and anyone may speak to an agenda item during discussion or debate. (Only Senators may move or second any motion, and only Senators may vote.) If you wish to be heard at this time, please stand and identify yourself to the Academic Senate President.
- III. Information/Correspondence
- IV. Consent Agenda
- V. Presentation(s), when appropriate
- VI. Academic and Professional Matters
- VII. Committees
 1. Curriculum & Instruction
 2. College Council
 3. Administrative Council
 4. Equivalency
 5. Planning and Budget
 6. Flex
 7. Other committee reports
- VIII. Discussion
- IX. Adjournment

RESOLUTION FORM

First Reading	Second Reading	Substitute Motion	Resolution No.
Subject: Mover: Division:		Date: Secunder: Division:	

Whereas, . . .

Therefore, the Imperial Valley College Academic Senate . . .

(Note: A Mover and Secunder must be Senators. If a faculty member who is not a Senator wants a resolution to be considered by the Academic Senate, then she or he must find two Senators to sponsor the resolution.)