

HARTNELL COMMUNITY COLLEGE DISTRICT

BP 2510 Participation in Local Decision-Making

References: Education Code Section 70902(b)(7); Title 5 Sections 53200 et seq. (Academic Senate), 51023.5 (Staff), and 51023.7 (Students); ACCJC Accreditation Standards 4.2 and 4.3

The Board is the ultimate decision-maker in those areas assigned to it by state and federal laws and regulations. In executing that responsibility, the Board is committed to its obligation to ensure that appropriate members of the District participate in developing recommended policies for Board action and administrative procedures for superintendent/president action under which the District is governed and administered.

Per the Education Employment Relations Act (EERA), matters related to the terms and conditions of employment are within the scope of collective bargaining and are not matters for governance and local decision-making.

Each of the following shall participate as required by law in the decision-making processes of the District:

Academic Senate(s) (Title 5 Sections 53200-53206)

The Board or its designees will consult collegially with the Academic Senate, as duly constituted with respect to academic and professional matters, as defined by law. Procedures to implement this section are developed collegially with 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 methods, according to its own discretion:

- (1) relying primarily upon the advice and judgment of the Academic Senate; or
- (2) agreeing that the district governing board, or such representatives as it may designate, and the representatives of the Academic Senate shall have the obligation to reach mutual agreement by written resolution, regulation, or policy of the governing board effectuating such recommendations.
 - (a) If no agreement is reached, existing policy remains in effect unless policy exposes District to legal liability or fiscal hardship.
 - (b) If there is no existing policy or when legal liability or fiscal hardship requires that the existing policy be changed, the Board of Trustees may do so, after a good faith effort to reach agreement and only for compelling legal, fiscal, or organizational reasons.

Recommendations from the Academic Senate in the eleven areas listed in AP 2510 will normally be accepted and only in exceptional circumstances and for compelling reasons will the recommendation not be accepted. If a recommendation is not accepted, the Board of Trustees through the superintendent/president, upon request of the Academic Senate, shall promptly communicate its reasons in writing to the Academic Senate.

Staff (Title 5 Section 51023.5)

Staff (includes classified employees, confidential employees, and administrators) shall be provided with opportunities to participate in the formulation and development of District policies and procedures that have a significant effect on staff. The opinions and recommendations of staff will be given every reasonable consideration. Staff will have an opportunity to provide input into all board policies and administrative procedures that are reviewed through the District's process for review of board policies and administrative procedures.

Students (Title 5 Section 51023.7)

The Associated Students Hartnell College shall be given an opportunity to participate effectively in the formulation and development of District policies and procedures that have a significant effect on students, as defined by law. The recommendations and positions of the Associated Students will be given every reasonable consideration. The selection of student representatives to serve on District committees or task forces shall be made after consultation with the Associated Students.

Except for unforeseeable emergency situations, the Board shall not take any action on matters subject to this policy until the appropriate constituent group or groups have been provided the opportunity to participate.

Nothing in this policy will be construed to interfere with the formation or administration of employee organizations or with the exercise of rights guaranteed under the Educational Employment Relations Act, Government Code Sections 3540 et seq.

See Administrative Procedure 2510

Approved by the Board of Trustees: May 1, 2018

Formerly BP 2005, 2010, 2015