

Resolution Addressing Academic Senate Purview in
Reorganization of Academic Departments and/or Divisions
The Academic Senate of Santa Ana College
November 2021

WHEREAS, Title 5 specifies the Academic Senate's purview on "academic and professional matters," and enumerates those matters in the 10 + 1 (section 53200) (b) and (c), obligating governing boards to consult collegially with the Academic Senate, defining "consult collegially" in subsection (d) thus:

"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,¹

WHEREAS, Board Policy 2410 of the Rancho Santiago Community College District cites that the Board relies primarily upon the advice of the Academic Senate for 10+1 items: #1, 2, 3, 5, 8 and will come to mutual agreement for items #4, 6, 7, 9, 10, and the reorganization of the college currently under discussion falls within at least four of the 10 + 1 Academic Senate purview, to wit: #5: "Standards or policies regarding student preparation and success," as designated rely primarily on the senate item; # 4: Educational program development; #6: "District and college governance structures, as related to faculty roles;" and #10: "Processes for institutional planning and budget development" (#4, 6, and 10 being "by mutual agreement"), and

WHEREAS, the proposed reorganization was drafted without appropriate consultation of the faculty and does not sufficiently address or mitigate faculty concerns about rationales for the reorganization, lack of faculty support, and lack of support for individual programs within the college(s); and

WHEREAS, the proposed reorganization has been presented on multiple occasions as something that will happen regardless of faculty concerns, thus undercutting the participatory governance structure of the college and failing to recognize that restructuring of academic programs, Departments and/or Divisions is rarely successful without input and support from the faculty and constituents; therefore,

BE IT RESOLVED THAT, the principles of participatory governance shall not be disregarded, and the reorganization shall be conducted in a manner guided by, and consistent with, Title 5, the bylaws of the Academic Senate, the review by appropriate committees within the College, and the full consideration of the costs and benefits of this proposed reorganization as well as other possible alternative plans; and

BE IT FURTHER RESOLVED THAT, the Santa Ana College Academic Senate opposes the proposed Academic Affairs reorganization and recommends that in lieu of the proposed reorganization, a faculty-led working group be appointed to ensure that any reorganization is carried out in a manner consistent with the principles of participatory governance. We would

Resolution Addressing Academic Senate Purview in
Reorganization of Academic Departments and/or Divisions
The Academic Senate of Santa Ana College
November 2021

anticipate that any proposals for reorganization would include consultation with the relevant Divisions, Departments as well as with the Curriculum Council and the Academic Senate, and

BE IT FURTHER RESOLVED THAT, Title 5 (section 53203) subsection (d) specifies that

- (1) in instances where the governing board 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. If a recommendation is not accepted, the governing board or its designee, upon request of the Academic Senate, shall promptly communicate its reasons in writing to the Academic Senate.
- (2) in instances where the governing board elects to provide for mutual agreement with the Academic Senate, and agreement has not been 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 no existing policy, or in cases where the exposure to legal liability or substantial fiscal hardship requires existing policy to be changed, the governing board may act, after a good faith effort to reach agreement, only for compelling legal, fiscal, or organizational reasons,² therefore,

BE IT RESOLVED THAT, The Academic Senate of Santa Ana College emphasizes to the District and its designees that it has a legal obligation to the Academic Senate beyond that owed to any other group including administrators, to rely primarily on the advice of and/or reach mutual agreement with the Academic Senate, and therefore must not implement any reorganization involving student success and preparation, educational programs, District governance structures with any relation to faculty roles, or institutional planning and budget development, without the express written agreement of the Academic Senate of Santa Ana College.

¹govt.westlaw.com/calregs/Document/I6EED7180D48411DEBC02831C6D6C108E?transitionType=Default&contextData=%28sc.Default%29

²govt.westlaw.com/calregs/Document/I6FD671F0D48411DEBC02831C6D6C108E?originationContext=document&transitionType=StatuteNavigator&needToInjectTerms=False&viewType=FullText&contextData=%28sc.Default%29

Resolution Addressing Academic Senate Purview in
 Reorganization of Academic Departments and/or Divisions
 The Academic Senate of Santa Ana College
 November 2021

**RECOMMENDED PROCESS FOR DEPARTMENT AND/OR DIVISION
 REORGANIZATION**

We urge a collaborative consultation process to ensure that any restructuring is carried out in a manner consistent with the principles of participatory governance.

The following principles should guide any process of restructuring or reorganization of academic programs, Departments and/or Divisions.

- The process should be largely faculty-driven with transparency embedded through all aspects of the process.
- Consultation involving, at a minimum, every department involved in the process, should take place prior to any action.
- To ensure transparency and openness, consultation must occur during the academic year when the College is in full session.
- Consideration on how any changes would affect the faculty, staff, and students should be part of any process.
- Any process or action should strive to ensure fairness to all.

Proposed department change	Steps for approval
Create	<ol style="list-style-type: none"> 1. Division Curriculum 2. CIC Recommendation to Academic Senate (AS), AS Resolution to Deans 3. Deans 4. College Council
Merge	<ol style="list-style-type: none"> 1. All affected departments 2. Division Curriculum 3. CIC Recommendation to AS, AS Resolution to Deans 4. Deans 5. College Council
Split	<ol style="list-style-type: none"> 1. Department 2. Division Curriculum 3. CIC Recommendation to AS, AS Resolution to Deans 4. Deans 5. College Council
Dissolve/Discontinue	Refer to Rancho Santiago Community College District Administrative Regulation (AR) 4021: Program Discontinuance
Transfer	<ol style="list-style-type: none"> 1. Department 2. Departure Division 3. Arrival Division 4. Division Curriculum 5. CIC Recommendation to AS, AS Resolution to Deans 6. Deans 7. College Council

Resolution Addressing Academic Senate Purview in
Reorganization of Academic Departments and/or Divisions
The Academic Senate of Santa Ana College
November 2021

Multiple	<ol style="list-style-type: none">1. All moving and receiving departments2. Division Curriculum3. CIC Recommendation to AS, AS Resolution to Deans4. Deans5. College Council
----------	--