



Academic Senate

TITLE 5 REGULATIONS PERTAINING TO ACADEMIC SENATES & COLLEGIAL CONSULTATION

Title 5: The California Community College Board of Governors codifies the rules for the implementation of Education Code in Title 5. Title 5 is published as part of the California Code of Regulations. These regulations have the force of law, though they can be modified by action of the Board of Governors without legislative intervention.

The phrase "collegial consultation" is a California state law concept (California Education Code § 70902(b)(7) and Title 5 of the California Code of Regulations, § 53200 et seq.), which defines how local governing boards consult with Academic Senates on academic and professional matters (the "10+1").

TITLE 5: §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. Notwithstanding this Subsection, the collective bargaining representative may seek to appoint faculty members to committees, task forces, or other groups.**



Academic Senate

CCCCO Legal Opinion M 97-20 extends the consultation requirement beyond formally named academic and professional matters: "some degree of consultation will be required if the purpose of the committee is to develop policy or procedure related to an academic and professional matter." A committee does not have to carry an official 10+1 label to trigger consultation. **What matters is whether its output impacts academic and professional matters.**

Beyond academic and professional matters

Education Code §70902(b)(7) also requires governing boards "to ensure faculty, staff, and students the opportunity to express their opinions at the campus level, to ensure that these opinions are given every reasonable consideration." This right runs wider than the 10+1. Even when a reorganization or other action does not touch an academic and professional matter, all constituencies, not just the Senate, must be given the chance to comment and have that input considered.

Current 2024 ACCJC (Accrediting Commission for Community and Junior Colleges) Accreditation Standards

Standard 4: Governance and Decision-Making:

Standard 4.2: Requires that roles, responsibilities, and authority for decision-making are clearly defined, communicated across the institution, and structured to provide opportunities for stakeholder participation and include relevant perspectives.

Standard 4.3: Requires that decision-making structures operate consistently and effectively, supporting a collaborative climate that advances the mission and equitable student outcomes.

Prior to the 2024 framework, this was governed under Standard IV.A (Decision-Making Roles and Processes)

IV.A.2 & IV.A.3: Required policies and procedures authorizing administrator, faculty, staff, and student participation in decision-making. Faculty and administrators were specifically required to exercise a substantial voice in areas relating to their responsibilities and expertise.