

8.09 BP_AP_Tskforce8.11.21 BP/AP TASK FORCE Agenda
Wednesday, August 11·2:00 – 4:00pm

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Location: <https://cccconfer.zoom.us/j/99614108111> Documents posted on calendar

Purpose: To review the ACCJC requirement (Requirement 8) on Board Policy, evaluate current status and create a plan to address the requirement.

Outcomes: The intended outcomes of this meeting are:

1. Review/Adopt analysis of BOT BP/AP status
2. Review/Improve Draft Policy and Procedure Tracking Matrix
3. Review/Improve Draft AP 2410
4. Craft a plan to move forward to resolve requirement 8
5. Schedule feedback on Follow-up report review on Recommendation 8

Meeting Facilitators: Chancellor Jackson & Janet Fulks

Participants: Chancellor Jackson, Janet Fulks, Dyana Delfin Polk, Joseph Bielanski, Sasha Amiri-Nair, Royle Roberts, Siri Brown

I. Introductions & Notes

- a. Read Requirement 10 from Peer Review Report, related Accreditation standards, notes from the combined college Peer Review Reports (see Appendix 1 below)- Janet

II. Issues

- a. Summary – Many BP/AP have not been reviewed over 7 years, many are directly relevant to ACCJC requirements (see Appendix 2 below)
- b. AP 2410 references a matrix which was not found
- c. BP/AP2410 need reviewed & updated, if necessary, AP 2410 was not accurate

III. Review BP/AP Analysis (see Attachment 1) – Janet, Joseph

- a. Summary – Review of BP/AP compared to CCLC, ACCJC requirements and comparison with some other colleges

- b. BP 2410 seems to be okay – use as example to date as reviewed unchanged

- IV. Review Proposed Update on AP 2410 (see attachment 2 & below)
- V. Review Matrix – suggestions, comments (see attachment3)
- VI. Plan to move forward
- VII. Recheck for final drafts and completion

Appendices

Appendix 1 Background information:

- a. District Recommendation 8: In order to meet the Standard, the team recommends that the Board establish a formal process for regularly assessing its policies for effectiveness in fulfilling the district’s mission and revise them as necessary. (IV.C.7)
- b. ACCJC Standard - IV.C.7. The governing board acts in a manner consistent with its policies and bylaws. The board regularly assesses its policies and bylaws for their effectiveness in fulfilling the college/district/system mission and revises them as necessary.
- c. BOARD POLICY 2200 BOARD DUTIES AND RESPONSIBILITIES; Policy review BP and AP 2410
- d. Notes from Peer report:
- e. Alameda/Laney/Merrit - The District has BP and AP 2410: Board Policy and Administrative Procedure that identifies the Districts process for development and review of Board policy. The Board is a member of the Community College League of California Policy Subscription Service, which provides bi-annual updates. The District relies on a faculty member to serve as the liaison/coordinator with CCLC’s Policy and Subscription Service and to ensure the District stays in compliance with legally mandated policy changes. In addition, the ISER states that the District reviews all policies and procedures on a six-year cycle, based on the date of last review and is tracked by the Chancellor’s office. This Policy and Procedure lists each BP

and AP and the date when they were last reviewed or revised. This is a very good process for tracking review and revisions; however, many of the BP's listed have not been reviewed in the last six-years. It appears the faculty coordinator is not responsible for ensuring board policies are reviewed every six years but primarily for keeping the District in compliance with legally required mandates. (IV.C.7)

- f. BCC same plus added - It appears the faculty coordinator is not responsible for ensuring board policies are reviewed every six years but primarily for keeping the District in compliance with legally required mandates. (IV.C.7)

Appendix 2

BP 2410

BOARD POLICY 2410 BOARD POLICY AND ADMINISTRATIVE PROCEDURE

Board Policies are statements or intent/guidelines which are adopted by the Board of Trustees to be used by the administration in the development and implementation of regulations and procedures for operating the District.

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 ensure that appropriate members of the District participate in developing recommended policies for Board action and administrative regulations for Chancellor action under which the District is governed and administered. The provisions of Board policies and administrative procedures shall be updated in a timely manner to reflect all Board changes or modifications. 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 in consultation. No Board policy or administrative procedure shall be construed to interfere with the formation or administration of employee organizations, or compromise the exercise of rights guaranteed under the Educational Employment Relations Act, Government Code Sections 3540, et seq. No Board Policy or Administrative Procedure shall weaken or invalidate the provisions of existing District collective bargaining agreements.

The policies have been written to be consistent with provisions of law, but do not necessarily encompass all laws relating to district activities. All district employees are

expected to be aware of and observe all provisions of the law pertinent to their job responsibilities.

Policies of the Board may be adopted, revised, added to or amended at any regular board meeting by a majority vote of all members of the Board. Proposed changes or additions shall be introduced through the consultative process described in AP 2410 Policy Development Process prior to the meeting at which action is recommended. The Board shall regularly assess its policies for effectiveness in fulfilling the District's mission.

Administrative Procedures are to be issued by the Chancellor as statements of regulations, rules and practices to be used in implementing Board Policy. Such Administrative Procedures shall be consistent with the intent of Board Policy. Administrative Procedures may be revised as deemed necessary by the Chancellor.

As they become available, Administrative Procedures shall be officially distributed to the Governing Board, after which time they shall be considered incorporated into the Board Policy manual. The Board reserves the right to propose to the Chancellor revisions to Administrative Procedures should they, in the Board's judgment, be inconsistent with the Board's own policies.

The Chancellor shall issue an administrative procedure to detail the implementation of this policy. Reference:

Education Code Section 70902;

ACCJC Accreditation Standards IV.C.7; IV.D.4; I.B.7; and I.C.5 (formerly IV.B.1.b & e) Administrative Procedure 2410 Policy Development Process

Replaces:

Board Policy 1.25 Policy Development adopted September 16, 2008 and last revised March 29, 2011

Approved by the Board of Trustees: December 6, 2011 Revised by the Board of Trustees: February 26, 2013 Revised by the Board of Trustees: April 14, 2015

Reviewed

AP 2410 Policy and Administrative Procedures

Reference:

Education Code Section 70902; Accreditation Standard IV.B.1.b & e
Formulation of Policies

1. The policies adopted by the Board of Trustees will be consistent with the provisions of law, but do not encompass all law relating to the District's activities.
2. Policies of the District will be systematically reviewed by the Board of Trustees. A two-thirds majority vote of the seated Board is required for adoption of new or amended policy.
3. Policies will be brought to the Board for review and discussion (First Reading) and returned for a Second Reading (with any additions, deletions, or corrections made by the Board at the time of the First Reading) and adoption.
4. The Board may require additional readings before adopting or amending any policy.
5. Any policy may be suspended by a majority vote of the entire Board of Trustees. Such vote will be taken by roll call and entered into the minutes of the meeting. Such suspension must specify its period of operation, and said period cannot exceed two months.
6. The Chief Executive Officer of the District has the responsibility for carrying out, through administrative procedures, the policies established by the Board.
7. Students and employees have the responsibility to adhere to the policies established by the Board of Trustees and for abiding by the administrative procedures and regulations designed to implement the policies as well as all provisions of law pertinent to their activities as students and employees.
8. A complete copy of the Policy Manual will be made readily accessible to students, employees, and members of the community.
9. Copies of the Policy Manual will be on file in the Office of the Chief Executive Officer of the District, and the policies and procedures will be made available on the College's website.
10. In the absence of applicable policy, the Chief Executive Officer of the District is authorized to establish needed procedures which, if need to be approved as policy, will be presented for formal approval at the next regularly scheduled meeting as amendments to the Policy Manual.

Formulation of Administrative Procedures

1. The function of providing procedures and other implementing documents to carry out the intent of Board policies will be delegated to the Chief Executive Officer of the District. However, the Board itself will formulate procedures when it relates directly to the manner in which the Board operates.

2. Such rules and implementing documents will constitute the procedures governing the District. **Revised 12/04/13**

Updated Policy Suggestion

Administrative Procedure 2410 Policy Development Process

Submission of New Board Policies and Administrative Procedures or Review of Existing Board Policies and Administrative Procedures

Board Policies adopted by the Board of Trustees and District Administrative Procedures will be systematically reviewed and revised on a seven-year review cycle. New or revised draft Board Policies can be submitted from any recognized PCCD group or individuals with area expertise. All drafts submitted to the facilitator (Chancellor designee) shall include a cover letter that addresses the following:

- The name of the individual/group authoring the draft.
- A concise explanation stating the reason(s) for the new or revised draft Policy. This statement may be used later as an inclusion in the Board packet.
- References relative to State, Federal, Legal, Accreditation, Title 5 Code of Regulations, or any other appropriate references supporting the Policy.
- Planning and Budgeting Council. When revising a policy, the original policy should be submitted in track changes showing deletions and additions. This process also applies to revised draft Administrative Procedures.

The District will continue to use the biannual Community College League of California Policy and Procedure Template Service to assist with new laws and regulations and maintaining up-to-date BPs and APs. PCCD receives legal updates to ensure that Board Policies and District Administrative Procedures reflect recent revisions in federal/state statutes, regulations, and accreditation standards to ensure policies and procedures remain current. The CCLC bi-annual updates go directly to the Facilitator (Chancellor designee) for review and distribution.

To ensure that all Peralta Board Policies and District Administrative Procedures are reviewed every seven years, a lead administrator will assist in a chapter review pertinent to that administrator's role. Both the BP and AP will be reviewed concurrently when possible. The assistant to the Chancellor will be responsible for emailing update responsibilities to the administrative leads.

Chapter	Review Lead
1. The District	Chancellor
2. Board of Trustees	Board President and Chancellor

3. General Institution	Chancellor and the College Presidents
4. Academic Affairs	Vice Chancellor of Academic Affairs and Student Services; Vice Presidents of Instruction; District Academic Senate President
5. Student Services	Vice Chancellor of Academic Affairs and Student Services; Vice Presidents of Student Services
6. Business and Fiscal Affairs	Vice Chancellor of Finance and the College Business Officers
7. Human Resources	Vice Chancellor of Human Resources and Employee Relations

Regular 7-year reviews may result in a decision not to update or change the Board Policy, which can then be dated as reviewed and sent to the Board of Trustees for a first and second read in the case of BPs or to the Chancellor for approval of APs.

All draft and updated Board Policies are forwarded to the Facilitator (Chancellor designee) The facilitator forwards a draft to the Chancellor’s Cabinet and all Chapter 4 policies and procedures to the District Academic Senate for distribution to ensure an opportunity for consultation and participation in the development of the policy or procedure. This group forwards the draft to the Participatory Governance Committee. The consultative group(s) response to the draft should be documented in the form of meeting minutes in a timely manner. The constituent group’s position (supportive, not supportive, abstain) will be provided to the Board with the draft Policy.^[P]_[SEP] or the Chancellor with the draft administrative Procedure.

The Board will review all Policy materials over at least two separate meetings. However, when unusual and compelling reasons or legal constraints exist, the Board may elect to review and act on Policy material during only one session. The action shall be recorded in the minutes of the Board.^[P]_[SEP]Chancellor’s Cabinet

District Administrative Procedures specify the regulations, rules, and practices by which Board Policies are implemented and are approved by the Chancellor. Administrative Procedures shall be incorporated in the Board Policy manual in a manner that distinguishes between Board Policy and Administrative Procedures.

After a vote of approval on Policy by the Board and/or approval of an Administrative Procedure by the Chancellor the Assistant to the Chancellor will:

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- Post the material on the District’s web site
- Update the Policy and Procedure Tracking Matrix
- Record new review dates on the Policy and Procedure Tracking Matrix. A paper copy will be maintained by the Chancellor’s Office as the permanent record. The announcement of new Board Policies/District Administrative Procedures will be the responsibility of the Chancellor’s Office.

Administrative Responsibility

The Chancellor has the primary administrative responsibility to recommend new or revised Board Policies to the Board of Trustees. The Chancellor approves all new or revised Administrative Procedures. The Chancellor may delegate the drafting of certain Board Policies or Administrative Procedures. The recording of the assignment and the tracking of the revision process will be kept in the Chancellor’s Office and distributed with revisions in a document called “Policy and Procedure Tracking Matrix”

Education Code 53200 et seq. states that the District shall rely primary upon the advice of the Academic Senate with respect to “Academic and Professional Matters.”

Therefore, **Board Policies** and District Administrative Procedures pertaining to chapter 4 “Academic Affairs” will also be reviewed by the Academic Senate who will make a separate recommendation in addition to the procedures described above. **SEP Educational Employment Relations Act** Please explain.??

Nothing in this procedure 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.

Reference

Education Code Section 70902(b)(7)

California Code of Regulations Sections 53200 (Academic Senate), 51023.5 (staff), 51023.7 (students)

ACCJC Accreditation Standards I.B.7; I.C.5; IV.C.7; and IV.D.4 (formerly IV.B.1.b)

Approved by the Chancellor: January 4, 2012

Revised by the Chancellor: January 14, 2014

Revised by the Chancellor: June 15, 2015

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Revised by the Chancellor: August XX, 2021