



COMMUNITY COLLEGE GOVERNANCE: A JOINT STATEMENT OF THE BOARD OF GOVERNORS AND CCCT

COMMUNITY COLLEGE LEAGUE OF CALIFORNIA

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This statement of principles is intended to describe the views of the Board of Governors and the California Community College Trustees related to the governance structure of the California Community colleges and lead to improved working relationships and common understandings between the state and local boards. The principles also should be viewed as providing guidance for those outside the system who are studying the California community college governance structure.

The principles are not intended to establish new policy and are not to be interpreted as superseding the Education Code review process now underway within the system.

- 1. Given the broad and comprehensive mission of the California Community Colleges, the people of the State and their local communities are best served by a bilaterally-governed system of community colleges with locally-elected boards of trustees and a gubernatorially-appointed board for the system.**
- 2. The broad responsibilities of each of the governing components within the bilaterally-governed system should be established by the Legislature and be clear, consistent with the mission, and support a unified system meeting distinct local and state needs.**
- 3. The Board of Governors should exercise general supervision over the system of community colleges and provide leadership and direction through planning and policymaking, technical assistance, positive incentives, enforcement of laws and regulations, and accountability in support of student success. The work of the system board should be directed to maintaining and continuing, to the maximum degree permissible, local authority and control in the administration of the community colleges.**

Board of Governors responsibilities should include:

- Employing a chief executive officer who shall be responsible for recommending system policy to the board following consultation with local districts, their representatives, and community college organizations, and implementation of system board policy, and who shall act as the primary spokesperson for the system on system issues.
- Establishing, consistent with the mission of the system, minimum standards for the operation of each local district and minimum conditions entitling districts to receive state aid and conducting periodic reviews of each district related to the minimum standards and conditions.
- Reviewing and approving academic and facilities plans for each district.
- Conducting necessary system-wide research, evaluating and issuing annual reports on the educational and fiscal effectiveness of the districts based on indicators of performance.
- Providing technical assistance and support when districts encounter severe management or fiscal difficulties; and in cases where fiscal difficulties worsen despite assistance and support, appointing a fiscal monitor according to prescribed criteria.

- Providing representation, advocacy and accountability for the system before state and national legislative and executive agencies.
 - Overseeing the administration of state and federal support programs, including: preparing and adopting the proposed system budget; determining the formulas for computing and allocating the state general apportionment; establishing a uniform budgeting and accounting structure and procedures; and establishing space and utilization standards for facilities planning and funding allocations.
 - Coordinating and encouraging interdistrict, regional, and statewide development of programs, facilities, and services; and coordinating interdistrict attendance of students.
 - Facilitating articulation with other segments of education
 - Exercising general supervision over the formation of new districts and the reorganization of existing districts.
 - Establishing and implementing a consultation process to ensure that local governing boards, their representatives, and community college organizations have an opportunity to participate effectively in the review and development of system policy.
 - Establishing standards for local district consultation processes that provide faculty, staff and students the right to participate effectively in district and college governance and Academic Senates have primary responsibility for formulating recommendations on academic and professional matters.
- 4. Each locally elected governing board should exercise general supervision over its local district and provide leadership through planning and policymaking to assure local education programs and services meet the education needs of the communities the district serves, as well as regional and state needs. The work of the local boards should be consistent with law and the regulations and policies of the Board of Governors.**

Local board responsibilities should include:

- Employing a district chief executive officer who is responsible for recommending district policy to the board in consultation with the Academic Senate, faculty, staff and students and implementation of local board policy and who acts as agent of the board.
- Establishing the educational priorities of the district, consistent with the legislatively-established mission of the California Community Colleges; and, in so doing, local boards shall also respond to regional and statewide needs within the mission in concert with the goals established by the Board of Governors.
- Establishing policies for current and long-range academic and facilities plans and programs; for the approval of courses of instruction and educational programs; and for determining the academic calendar.
- Establishing academic standards, as well as probation, dismissal and readmission policies; graduation requirements; and policies for governing student conduct.

- Assuring the employment and assignment of all personnel and establishing employment practices, salaries, and benefits for all employees.
- Determining the district's operational and capital outlay budgets; determining the need for elections for tax levies and bond measures; establishing policies for student fees where permitted by law; and establishing policies for the receipt and administration of gifts, grants, and scholarships.
- Assuring the management and control of district property.
- Monitoring effectiveness and efficiency in the use of public resources and in meeting and addressing student needs and concerns.
- Participating in the review and development of system policy through the system's consultation process.

5. In furtherance of the mission of the community colleges within the bilateral governance functions specified in statute, it is appropriate for the local boards and Board of Governors to establish understandings and protocols for the exercise of governance functions. Although these understandings and protocols do not have the force of law and regulations, they set forth expected behaviors and rules of conduct which may be established, reviewed, and revised over time. The initial understandings and protocols are the following:

- **Mission:** In fulfilling the mission of the California community colleges, local boards recognize their responsibility not only to serve the needs of their respective communities, but also to respond to regional and statewide needs. The Board of Governors recognizes its role to work in partnership with local boards to ensure that community, regional and statewide needs are addressed.
 - Primary authority to address community needs resides with local boards.
 - Primary authority to coordinate and assure that regional and statewide needs are addressed resides with the Board of Governors.
- **Accountability:** With the legislatively-established bilateral structure of governance, the authority and responsibility of local boards and the Board of Governors flow from statute, and each local board and the Board of Governors therefore remain accountable to the State (Legislative and Governor) for the performance of their respective functions. However, except as provided by law, the Board of Governors is not legally responsible for the actions of local boards, and local boards are not legally responsible for the actions of the Board of Governors.

When conflicts arise about the appropriate exercise of legal or governance responsibilities, both the Board of Governors and local boards have an interest in resolving these conflicts without having to resort to legislative review or adjudication.

- The Board of Governors is accountable, not only to the State and the general public, but also to local governing boards.
- Local boards are accountable, not only to the state and their local publics, but also to the Board of Governors.

- **Local District Assistance:** In fulfilling its role of leadership and assistance the Board of Governors and Chancellor should be prepared to support local districts.
 - As concerns arise that may require assistance, the Chancellor first should seek the advice and counsel of relevant parties, which, given the concern, would include: the state association of community colleges and chief executive officers, the Academic Senate, the student association, the accrediting commission and other relevant parties. The Chancellor should work with these relevant parties in shaping the assistance to be provided. When this need for informal assistance is identified, local boards and their chief executive officers should be responsive to inquiries and offers of technical assistance from the Chancellor and should recognize that all districts within the system are prepared to help fellow districts.
 - If formal intervention into fiscal or management matters becomes necessary, and given the responsibility of the Board of Governors to maintain, to the maximum degree permissible, local authority and control in the administration of community colleges, the Board of Governors should proceed deliberately and cautiously. Formal intervention should be predicated on the basis of established criteria and standards.
- **Legislative Representation:** Local boards recognize that the Board of Governors has a responsibility to represent the collective interests of the system before state and national legislative and executive agencies. At the same time, the Board of Governors recognizes that local boards will remain respectful of the Board of Governors' role only if it provides for meaningful involvement of the local boards in the formulation of system priorities that are articulated before state and national legislative and executive agencies, and if it provides information to the local districts to help them advocate on statewide and national issues.
 - Local boards retain legal authority to represent their local communities' particular interests in these arenas.
 - Local boards will remain respectful of the Board of Governor's role to represent the best interests of all districts, the students, and the State.

Prior to advancing a local interest before state and national legislative and executive agencies, the local boards recognize the value of following these protocols:

- If the interest advances a new system policy or has an effect on other districts generally, the local board should first seek to have the matter addressed through the system's established consultation process. If the local board's interest is not incorporated or accommodated by a system position, the local board should strongly consider refraining from advancing the interest. If the local board determines it necessary to proceed, it should inform the Board of Governors or its Chancellor before proceeding.
- If the interest appears to only affect the local district and does not establish any system policy or put system policy in detriment, the local board should inform the Board of Governors, or its Chancellor, before proceeding.

6. In order for a unified and bilaterally governed system to be fully effective, the Board of Governors must be enabled to fulfill its functions.

In order to fulfill its delineated leadership responsibilities, the Board of Governors should be granted authority to:

- Select the Chancellor and senior management, and determine the compensation levels for these employees.
- Determine the appropriate organizational structure for the agency.
- Determine the level of funding necessary for operation of the Chancellor's Office.

7. The Legislature and Governor should allow the Board of Governors and local boards an opportunity to perform their respective governance roles before intervening in the governance and management of the colleges.

- The Legislature and Governor should give due weight to the system recommendations that attempt to balance the interests of all districts and further the best interests of students, the system and the State.
- The Legislature and Governor should give refrain from approving legislation that advances narrow or district-specific issues to the detriment of the system.

8. While the system should be entrusted, enabled, and provided the opportunity to perform its delegated functions, the Board of Governors and local boards recognize that they exercise these responsibilities in response to the overall direction and oversight of the Legislature and the Governor. The Board of Governors and local boards recognize that there are a number of policy determinations and functions appropriate for the Legislature and Governor.

- Establishing the broad mission of the colleges.
- Establishing who is entitled to access to the colleges.
- Establishing the major functions of the Board of Governors and its membership.
- Establishing the major functions of the local boards, and provisions for each election.
- Determining the amount of funding for the system through the annual state budget process.
- Establishing the general parameters for determining the apportionment formulas.
- Approving state-funded capital outlay projects.
- Determining mandatory student fees.
- Determining necessary categorical programs.
- Establishing policies for the employment of college staff.
- Establishing intersegmental education systems relationships.

- Determining policies for the sale, lease, and use of real and personal property.
- Establishing provisions to assure nondiscrimination and affirmative action.
- Establishing provisions for uniform residence determination.
- Determining mandatory holidays for colleges.
- Determining general policies regarding territory of districts and district reorganization.
- Determining broad policies on student rights and responsibilities.

Education governance ought to have as its main goal helping students achieve their educational goals. Those functions and responsibilities which reside at the state level in the Board of Governors and the Chancellor's Office should reside there because doing so creates the best possibility of meeting student needs and insuring student success. Similarly, those functions which are in the hands of local boards of trustees should be there because those local boards are best positioned to perform those functions in the best interests of students and student success.

All systems and structures are imperfect. However, this document does indeed attempt to place specific functions and responsibilities with those, who in exercising those responsibilities, may best be able to meet the needs of the students.

