

April 26, 2020
All College Council
Meeting via Google Meets

Present: Brooke Anderson, Hilda Lander, Brandy Wright, Edgar Soto, Josh Duran, Sage Hawkins Michael Lopez, Gloria Coronodo, Sean Mendoza, Lisa Brosky, Seth Shippee, Jeff Silvyn.

AP Development/Modification Challenges:

Seth Shippee and Jeff Silvyn from the General Council's office were present for a discussion on the process to develop and/or modify Administrative Procedures. The topic was requested following the ACC's recent efforts to pull an AP for additional input.

An ongoing challenge for the ACC is to determine where in the AP process the Council should fall. Typically ACC, Faculty Senate and Staff Council receive draft APs simultaneously and yet only ACC has the authority to "pull" an AP from the process.

One issue concerns scheduling the ACC meeting to align with the Faculty Senate, Staff Council, Student Senate and the Governing Board. In this case, input from the Faculty Senate and Staff Council on APs could help determine ACC actions.

ACC meetings often fluctuate based typically on the schedules of part-time faculty and students.

Questions were: How do we take meaningful action or gather meaningful feedback from the groups? How can this really align with the different groups?

Further, new APs or modifications to APs can come at any time of the year; by their nature there can be no established schedule for the process. Existing APs generally are reviewed every three years.

Jeff and Seth outlined the AP process, which can originate from anyone but generally come from units responsible for particular operations working with a stakeholder group -- 5 or 6 subject matter experts. Once drafted, an AP then moves to the Chancellor's Office (via the General Counsel), who readies it for the review process. The 21-day review period begins after the first Board meeting.

The sponsor or sponsor and stakeholders can determine what, if any, input and feedback to accept. Really big changes will go out for a second round of feedback. When it goes back to the Board for the second and final reading depends on changes or feedback.

Seth note: A lot of work occurs before 21 day public comment: stakeholder review, as well as governance group and stakeholder revisions.

Regardless of when an AP is working through the process, which ultimately needs two readings (but not approval) by the Board, and AP must be complete before the Friday the Board agenda is published. Further, the Board packet is determined about 10 days before the meeting.

Jeff Silvyn noted that typically APs get very little feedback. When there are comments, they are put in a chart and grouped into topics, which go to the AP sponsor. How long that process takes depends on the number of comments and is usually driven by the Governing Board calendar.

Comments often are regarding small things such as punctuation. Occasionally there is substantive input that needs research and review and can delay the typical cycle of an AP.

He offered that his office could find a way to provide the comments to the ACC as available to stimulate thinking before the next ACC meeting.

QUESTION: How can the ACC review an AP, without slowing down the process.

Discussion surrounded modify the comment periods, potentially 30 days from 21. Idea being to modify as short as possible with adequate time from comment to work for the ACC's cycle.

However, even then, as Brooke noted, because APs can come at any time, there is no way to appropriately determine what might work, unless every AP could start their 21-day comment period at a specific time of the month, a non-starter.

Jeff suggested that the ACC could be given a "heads up" when an AP moves to the General Counsel's office to be prepared for comment.

That led to a suggestion for a "policy calendar," where each AP could be tracked in its journey. This was supported by all ACC members.

Jeff agreed that would be helpful and said work was being done already to automate the process.

Pulling the AP

There was additional discussion around the ACC's decision in January to pull an AP from the process. This was the first time ACC exercised that ability.

Michael asked if the Chancellor had concerns about pulling the AP.

Jeff explained that confusion over the situation was largely due to the fact that it was the first time it had happened and that there were no concerns from the Chancellor. Just as the ACC discussed in March, Jeff concurred that the ACC simply needs to define “what happens next.”

Jeff and Seth made suggestions about how to word that in a revised AP 1.06.01, which governs the All College Council.

Jeff suggested considering scenarios that would lead AP to be pulled and what might we do in response. For example, the stakeholder group did not have the right expertise OR a group that will be affected wasn't included as a stakeholder. It would be something that was a big change, and more time was needed for a comment period.

Seth acknowledged that the ability to pull the AP is at the heart of the ACC's authority. The Faculty Senate did not have the authority to pull the AP, but raised the concerns to the ACC, which did have the authority.

Lisa Brosky agreed to draft a revised AP 1.06.01 to be reviewed by next year's All College Council.

That concluded the discussion and the All College Council adjourned for the 2020-21 academic year.

Michael: How was the ACC structured under the Chancellorship represented...and was there concern about ACC pulling the AP?

Jeff: Concept behind formation of ACC Before formation there were governance groups to provide info but there was no connection to each other and no connection to student senate. ACC provides a forum to share. ACC was a connector between all groups.

It would be one venue for Chancellor to get feedback from key constituents... student faculty and staff.

The idea was that it would enhance governance.

Issue: was AP had never been pulled and it was unclear what would happen next. No one has an issue. Now we need to clarify what should happen.

No one is advocating for ACC to not have that ability.

When ACC started the Chancellor would come and then task ACC with thinking about a topic. That happened for a while.

Jeff: There was still a form.

Another concept about how ACC works: Some Governance Group might have an idea ... Staff Council ...has an idea. Shares it with Governance and the different groups take back to their colleagues.

Idea:

Items to move into Bylaws/Charter...

Brooke: Difference between bylaw and SOP

Jeff: Nothing really -- instructions to your self.

4.2: Make recommendations on what... what would be help. accompanied by a recommendation on what to do next. Recommendation: Do this action in next two weeks.

Michael: Could there be something add about "Adequate communication is sought."

Pre-requist to pull Can pull only if you have made overtures.

Brooke: "Pulled at any point" --- I think the conversation was that faculty asked for it to be pulled and it was a surprise to the rest of ACC. I could see it unfolding thisway: We need this to be pulled But also through discussion We come to it in a meeting.

Seth: Could be more of a AP changemodfy..... AP layout the authority, rights and responsibly. SOPs describe how that's going to happen. If you want to expand or contract

authority. In 4.2. "By any ACC member But ACC must vote eg majority vote. It would be taking away authority from individual member. To change discussion to broaden or constrict would need to be AP. "In next meeting he will discuss buaw;

Jeff: help to think about the scenarios that would lead AP to pull and what might we do in response. Eg: Stakeholder group didn't have right expertise OR a group that will be affected wasn't included, etc. Big change and people need more time or comment period should be extended. "We could do better."

Brooke:

Seth: goes to the chart of the ACC authority This was something of an extension of faculty senate action Senate didn't have the authority, but ACC rep went to ACC Something for ACC to consider. .. is ACC an avenue for Faculty, Staff and Students to let them do it.

ACC's authority is being used. If someone believes procedure isn't being followed then that is a good avenue for ACC.

AERC form is a good example. Minority view and majority view. Really helpful in the decision making. See basic arguments

Make recommendation to ELT to AP owner.

Idea At Chancellor's discretion Does redefine the ACC's role as advisory

