

California
Community Colleges

CLASSIFIED SENATE REFERENCE GUIDE



Table of Contents

	Page No.
Introduction to the 4CS Classified Senate Reference Guide	5
Important Assumptions and Definitions	6
STARTING A NEW SENATE	7
Classified Senate – A Governance Body Created Locally by the Classified Staff	8
Discussion Topics –Building an Effective Classified Senate	11
Stepping Stones To Forming a Solid Classified Senate	12
Writing and Adopting your First Constitution and/or Bylaws	15
Sample Community College Classified Senate Constitution	16
Sample Constitution #1 Community College Classified Senate (works w/out Bylaws)	17
Sample Constitution #2 Community College Classified Senate (works with Bylaws)	23
Sample Community College Classified Senate Bylaws (a general form)	25
Sample Community College Classified Senate Bylaws (works with Constitution #2)	26
Legal Opinion regarding Minimum Standards for Staff Participation in Governance	30
Legal Opinion M 90-24 (...consultation with classified staff)	32
Delineation of Functions – Examples of Agreements between Senates and Unions	37
Delineation of Functions – Chaffey College	38
Delineation of Functions – Contra Costa Community College District	40
Delineation of Functions – General Delineation of Functions Statement / Model	41
The Roles of Classified Senates and Staff in Governance and Campus Activities	42
Why Am I Participating?	46
Becoming a Member Senate of the California Community Colleges Classified Senate	47
CLASSIFIED SENATE INFORMATION	48
Classified Senate Websites	49
The A to Z of Conducting a Meeting	50
Running a Meeting: Parliamentary Procedures (Robert’s Rules)	52
Running a Meeting: Using the Consensus Model to Conduct a Meeting	55
“The Challenge....”	57
An “Effective” Committee	58
How Can You Promote “Effective” Committee Work	59
Participatory (Shared) Governance – The Law	61
On “Shared Governance”	62
Revisions to Existing Title 5 Regulations (Chapter 1 / Minimum Standards)	63
What Works Well (Classified Senates are Sharing Ideas...)	65
Classified Leadership Institute	71

Additional Community College Conferences	72
Communications – Classified List Server	73
Professional Organizational Rights & SB 235 - Resource Packet	75
“Redwoods” and “Ventura” Decisions	101
Respecting and Working with Your Classified Union(s)	102
Why Do We Choose to Work through Senates for Governance	104
Classified Senate Officer Training and Leadership (Thoughts to Contemplate)	109
What makes an affective leader?	113
Classified Handbooks and Newsletters	115
The Brown Act and Senates	116
Fundraising Ideas for Classified Senates	117

4CS INFORMATION 118

Statewide Network of Classified Staff	119
4CS Introduction Information	120
4CS Organizational Statements	121
Organizational Structure – 4CS Region & Area List	123
4CS Representational Map	125
4CS Board of Directors	126
4CS General Membership List (as of June 2001)	127
4CS Website	128
Proposed Vision, Mission, Goals and Objectives (planning session notes)	129
4CS Committees	135
4CS Executive Board – Elections Procedures and Sample Forms	136
Sample Forms: Delegate & Letter of Intent Forms (Caution statement)	137
Sample Elections Letter	138
Sample Letter of Intent Form	139
Sample Local Classified Senate Delegate Form	142
A Brief History of the California Community Colleges Classified Senate (4CS)	144
Thank you! – Classified Leaders and 4CS Executive Board Members	145
4CS Bylaws (as of June 2000)	147
Position Paper – Participatory (Shared) Governance	160
Position Paper – Senates and Unions: Classified All	163
Position Paper – Community College Governance: Locally Elected Boards	166
Discussion Paper – The Issue Before Us: The Right to Choose	169
Becoming an Elected Member of the 4CS Executive Board	182
Becoming a 4CS Area Representative	183
Becoming a 4CS Volunteer	185

STATEWIDE ORGANIZATIONS 187

California Community College Board of Governors	188
California Community Colleges Chancellor’s Office	189
California Community College’s Consultation Council	190

Statewide Organizations Associated with California Community Colleges	191
Community College League of California	193
Ca. Community College Sites and Government Information and Web References	195
4CS Recognition	196

Introduction to the 4CS Reference Guide

During the process of creating the "California Community Colleges Classified Senate" or 4CS, many questions were raised and information was shared throughout the State. Now that we are a recognized organization, the 4CS Executive Board or Board of Directors felt it was time to put together a document that contains frequently requested information.

At each college, classified staff establishes its own, unique classified senate to meet its members' participation needs at the college or district level. As you work together to create your first "Constitution" and/or "Bylaws" and/or a "Delineation of Functions Statement" you must design a senate that will effectively work for your staff, your college or district and your students. If you are an established senate, you must continue to encourage participation, and adjust your senate as necessary to be responsive and responsible to the local governance structures at your college or district.

The concepts and perceptions surrounding participatory governance and the many complex relationships and procedures at your district are ever changing. Participatory (shared) governance is not about gaining power or making the final decision, it is, instead, a valuable opportunity to share your valuable, classified perspectives and to contribute your input to the directions and policies of your district for the benefit of all. It is a directive to work together with all your colleagues. Your senate can contribute much to the health and workings of your district, can provide opportunities for a diversity of views to participate in governance, and can become a respected body which values and encourages excellence in leadership, communications and education. It is your professional voice for quality education and services.

Because of your dedication and expertise, and that of your classified colleagues, your senate will grow and will continue to be of service to your classified staff, students and district. Encourage others to participate, build new relationships and strengthen old ones, and enjoy the personal development opportunities that result as you build a strong senate. Please feel free to use this information as a sample and as a reference, but remember it is only that. The strongest senates build positive relationships with the other organizations and groups on your campus. They work hard to meet local needs of their members, students and districts in an effective, responsible and responsive manner.

The information provided in this packet for your use yet may require additional clarification. Your local college sources of information as well as your 4CS area representatives may be of help if you have questions. We ask your help in assisting us with this process by letting your area representative know when changes take place at your college and if any information is incorrect within this packet. If you find other information that would be of benefit for either established senates, new senates, or senates that need assistance, please let us know.

The documents, information and samples, included in this packet, should be of help as you build or maintain your senate. In addition to what is included in this Reference Guide, you can now work with and share with your classified colleagues from across the state with the information provided here.

Thank you for your dedication and hard work on behalf of your senate, staff and students.

Important Assumptions and Definitions

There are many assumptions and definitions that are used in this work.

This is not a legal document, but an accumulation of materials that are commonly accepted and used widely throughout the state. The California Community Colleges and Districts have largely grown independently and have evolved to meet the local needs of each community that they serve. That uniqueness of our system is its strength and challenge. Through the leadership of the Board of Governors (BoG) of the California Community Colleges and the Chancellor's Office, the individual colleges and districts are linked together and their statewide efforts coordinated. The ability of the local Board of Trustees to govern locally, in coordination with the BoG, maintains the uniqueness and responsiveness of the colleges to their communities and students. Local involvement is the key to participatory governance and classified staff have much to offer in maintaining this excellent system of higher education and keeping it open to all who need high quality and locally based education and learning services.

Although the term "senates" is predominately used in this document, it is being used in general to refer to any classified representative body which represents the classified staff at your college in shared or participatory governance related issues regardless of what that body might be called at your college. **Senates:** Senates are defined as the designated shared governance body for classified staff at the local level (i.e. associations, councils, classified organizations, committees, etc.)

Classified staff, as a term in this document, is used as is defined in Education Code.

Classified Staff: As defined by Section 88003, (1a) of the California Education Code.

Section 88003. (1a)

The governing board of any community college district shall employ persons for positions that are not academic positions. The governing board, except where Article 3 (commencing with Section 88060) or Section 88137 applies, shall classify all those employees and positions. The employees and positions shall be known as the classified service. (Section 88003 continues...)

The materials found in this reference guide may or may not apply to your local situation and district regulations. Before completely relying on the materials and information included here, please consult with your district and 4CS for updated information or any legal interpretations as needed. We have endeavored in good faith to provide you with the most accurate information we have and believe that it will be of use for you and your colleagues.

STARTING A NEW SENATE

?

What to do first?

In addition to the guidelines for forming a new senate that follow, consider contacting your 4CS Area Representative for ideas and assistance along the way. Also, contact and visit other nearby colleges that have either recently formed senates or been successful in maintaining and improving their senate. Their support, enthusiasm and experiences may be invaluable to your group as you begin. In order to meet the needs of its own classified staff and local district governance, each classified senate becomes a unique body as it takes form. When you have completed the process, 4CS invites you to join with us and become an active member of the California Community Colleges Classified Senate. 4CS is dedicated and motivated to working and sharing with others who also support high quality educational services and provide positive learning environments for our students and our neighbors. It is a great opportunity to meet your colleagues across the state. When your senate forms remember to send 4CS a copy of your bylaws, supporting documents and a letter requesting recognition and membership as a community college classified senate.

Classified Senate
A Governance Body Created Locally by the Classified Staff

CLASSIFIED STAFF CREATE CLASSIFIED SENATES

Each senate is a unique creation by the classified staff for the specific environment at their college or district. Each senate must be an outgrowth of the classified staff's desire to contribute professionally to their community, to their college and district and to their own personal growth. There is no specific set pattern, structure or function, except that the senate must be designed to satisfy the participatory governance needs of classified staff. In order to most effectively meet that need, the senate's structure and function must successfully articulate with the existing groups and overall character of governance at the specific college or district.

It may take time for the senate to get started and functional. Be patient and persistent.

Discuss the concepts surrounding the formation of a senate with others that have a similar interest in participating in college and district governance as described in AB1725. Find others that wish to work toward improving and assisting the district's effectiveness for its students and staff through governance. Many classified enjoy contributing more than their job requires and sees the benefits for everyone by doing so. If you believe that everyone should have the opportunity and access to a higher education, you may also have the desired community spirit to volunteer and work toward that end. Improving our educational services and learning opportunities is a worthwhile contribution to our communities. Although we can certainly work to improve the services and environment provided to students through our official job responsibilities, participation in governance is one way to expand our efforts on behalf of our communities.

It is important that the senate you build is done so by classified staff, volunteering to do so. In the beginnings of classified senates, there were a couple of examples where senates and their agendas were created and determined by the administration and managers at the colleges. Senates should always be an outgrowth of classified initiatives and interests to contribute and participate. Your college and district must respect your independence and need to originate and operate responsibly. You must build positive relationships with your union leaders as well as the other governance leaders on your campus. You may need to assist them in understanding your motivations and dedications, since for some, the idea of classified staff caring about educational services and quality may be foreign and reason for suspicion. Your senate will gain respect as you work and professionally contribute.

4CS has several examples of the constitutions and bylaws that classified senates across the state are using. Contact us and we can provide you with samples. Depending upon the size of your district, and numbers of staff, some senate representational patterns may work better for you than others. Regardless of the method of representation and technique for the approval of the documents you and your planning group use, it is important that all classified have the opportunity to participate in the decisions that are made. After you have started your classified senate, you will need to elect your officers and have some meetings on communication, functions and roles. It takes a while to establish relationships, begin work on policies and be recognized by the other governance groups on campus. Consider polling your classified staff as to what non-collective bargaining concerns and issues

(including district policies) they would like the senate to work on first and where they think the Senate can contribute best to the well being of the institution and the education of its students. Constant communication is the key.

The committee structure should be adapted to make room for classified participation if it has not so far. You may need to start slowly, establishing your involvement on key committees that classified have the most to contribute to. If, like many senates, you will be appointing classified staff to fill committee positions, begin on that process by carefully placing qualified classified staff that will make meaningful contributions, and establish a positive benchmark of classified participation. Look for individuals who will represent the needs of the students and community as well as the classified staff. Some people are eager to help, but have hidden agendas or old complaints; use them sparingly until they understand the different paradigms of the Senate. Much of the time you serve on a committee is not spent on “your” or a single agenda item. Individuals that participate for one goal or item often do not contribute to the other items being discussed and eventually drift away, failing to attend. This lack of consistent involvement does not build respect or desire for continued classified participation. Our ability to meaningfully contribute will be challenged. It enforces the assumption that classified only care about their paycheck and not about providing a quality learning environment. Unlike many collective bargaining situations where negotiation teams (members) are primarily responsible for and required to represent the classified collective bargaining interests of their constituents, shared governance committee members need to reach for a broader, more global level of representation. Your committee representatives must understand and accept the needs of others in addition to those of the classified, and can, without sacrificing classified interests, work for a mutually agreeable solution. Serving on governance is a different world than serving on your union, regulated and directed by different laws, directives, procedures and restrictions. On governance committees, one is often supporting or contributing ideas that benefit students, faculty, trustees, or managers as well as classified if it is best for the health and function of the District and all its staff and students. Ask yourself, does this idea or action meet the vision and mission of the District in the best way possible. A college or district that is responsive to student needs and is working as a team, respecting the needs of each other, is good for all the classified and everyone involved, overall. With hard work, governance solutions can be found that do not sacrifice classified’s other more personal interests and needs. All bodies and organizations must be strong and healthy for governance to work.

So establish yourselves as a group, place your representatives as needed and then clean up any functional problems of your senate first. Become more involved in shared governance, and become more aware of the dynamics and pressures that result in the final decisions being made the way they are. Share with each other what you have learned, and contribute in the name of the Senate to the activities of the District. This will increase your working knowledge base on issues (as a group). Often rumors can fly through the staff as to why something must have happened, rumors not based in reality but based upon conjecture. You don't want to react or base decisions on rumors; use first hand involvement and real facts instead.

One last comment on funding and release time for the senate. It may be advisable to work with your union and district on the issues of release time and funding support for the senate. There are laws and concerns surrounding these issues that others may have. Some senates have chosen to use voluntary funding to support their activities because of these issues. It is to the advantage of all classified to resolve these issues correctly and carefully. Be sure that between your district, union and senate every thing is approved and documented for all to understand and in the proper manner according to local policies and appropriate laws that might regulate these matters. Across the state, classified unions and senates, both, receive funding for different purposes and in different manners, yet it is important that

no group or organization is favored unreasonably and no legal provisions of contracts and laws are violated.

If you have suggestions or recommendations to share with others after you have successfully started your senate, please send 4CS what you have learned. Participatory (shared) governance is still a young and developing concept. Although there are some classified senates that have been serving classified and their districts for over twenty years, most are still young and, at some colleges, are not yet a concept in the minds of classified, let alone a reality. Thank you, and please enjoy the process and the challenge.

* * * * *

Discussion Topics
Building an Effective Classified Senate

Dream... If you could make changes in the way that your district functions, changes that would benefit your students, community, and all staff, what would those changes be?

What is a senate? What is its overall purpose? What is it not?

As your classified staff builds your senate, how would the classified senate at your college or district be unique, enabling it to best contribute to your college's or district's vision and mission statements?

How would you insure that the classified senate continues a long tradition rooted in the democratic process?

Are the classified staff working to build the senate driven by altruistic interests to make a difference for all in association with the district and community?

How do you build a representational body for governance that is not adversarial by design, yet has a strong voice, exhibits integrity and provides an effective contribution to local issues and future goals?

What is the most effective manner to strengthen the classified voice, build respect and become involved in supporting quality education and services?

If you could change them, what specific, non-collective bargaining, college/district policies, practices and procedures need change (improving)?

Do you believe that providing high quality education for all people improves and elevates our community, society and the human condition, as well as ourselves and our families?

Have you ever contributed to an organization or worked for a cause beyond your "job duties"? Have you ever volunteered? Have you worked on a committee or with a group for a jointly accepted purpose? Why are you interested and motivated to contribute (satisfying which of your core values)?

Are you willing to invest of and in yourself, to improve your relationships, professional standing and local process?

Stepping Stones To Forming A Solid Classified Senate

BECOME CONNECTED WITH OTHER CLASSIFIED SENATES



In addition to the guidelines that follow, consider contacting your 4CS Area Representative for additional ideas and more specific assistance. Also, contact and visit other nearby colleges that have recently formed senates. Their support, enthusiasm and experiences may be very valuable to your group as you begin. For information about the California Community Colleges Classified Senate (4CS or CCCCS) and other related governance information, view the 4CS website at: <http://www.ccccs.org>

Generalized Steps:

1. Clarify your purpose for forming a senate and see what the interest level is among the classified staff on your campus. Your primary purpose(s) should be to improve district and college wide policies and services for the benefit of your students and community and, in so doing, to enunciate the classified governance voice in such manners.
2. Form a respected and small group of classified staff dedicated to completing the work of forming a new senate. Including a union leader that appreciates the value of a classified senate would be a good idea, from the start. This is your group to work with on the rest of the steps.
2. Start to evaluate if you have any wide spread classified support for the concept of starting a senate to increase governance participation. Check the atmosphere of other groups on your campus regarding the formation of a classified senate, such as the faculty senate, student government, administration (College President), management, and the classified bargaining unit(s). As you continue the formation of a classified senate, keep everyone informed on what you are doing, as appropriate. Providing information to your classified staff and other colleagues is a very important part of the process.
3. Schedule a meeting with a group of classified that will serve as your development team and that will share in the work and support you and the process. It is best to schedule your planning meetings on your own time, at this point, to avoid any early conflicts with work responsibilities and between others concerned with your activities. Begin working on a timeline or list of things to be accomplished to build a successful senate. Make sure you create a timeline that is functional (realistic) and can be adjusted as needed. For many senates the formation has not succeeded on the original timeline. Be flexible and patient. Be sure, in your meetings, to describe specific steps or actions to be accomplished

and document who will volunteer to accomplish them and by what deadline. Solicit input from others as needed. Let staff know what you are doing. Ask for information from 4CS as needed.

4. Create a Mission Statement, Constitution, and/or Bylaws. There are many examples and patterns to use as a guide. Just remember, what is right for one college may not be right for another. This will be your classified staff's senate and needs to meet the specific needs of your staff. Try to have all classified represented, provide equality in voting and participation, consider time requirements, the numbers of classified to be represented, and district and college configurations in your proposed structure.

5. If you have a classified union or unions in your college or district, propose that a “delineation of functions” agreement between the classified union and senate should be drafted and approved, so each body will understand their complementary roles and focus. This helps to reduce future conflicts and establishes how the two separate classified bodies will share in representing the classified staff, generally, one in the collective bargaining arena (the union) and the other in governance as a college “committee” (the senate). Do not be surprised if “gray” areas show up where both bodies need to work closely together and the function can be listed for both.

6. Disseminate information on your progress to your classified colleagues to encourage interest in participating and to receive ideas as needed. As you make progress, include more classified in the process. Request input from others when you are ready. Building positive relations for the senate is a very important part of this process. Keep letting staff know what you are doing, what the process is, and what a senate stands for and what it can mean for all. Share the benefits that have come to classified involved in governance work through their senates at other colleges and districts.

7. Distribute the proposed Mission Statement, Constitution, and/or Bylaws to the classified staff. At this time, I do not recommend you ask for changes, especially if you have already requested ideas on specific aspects as you went along. You will receive many recommendations and it will slow the process. You may need to evaluate the urgency of incorporating the suggestions based on how critical they are to the success of starting the senate. Most senates adjust their structures after they begin to actually work. Inform the staff that you want them to either vote yes or no; changes can and will be made once the classified senate is formed. If possible, have an information session (talk to your Staff Development office). This will give staff with concerns the chance to ask questions and to be a part of the process. With less procedural regulations on governance committees (senates) than collective bargaining associations (unions), voting can be less formal and more open if you prefer. All classified should be given the opportunity to vote that would be eventually represented by your senate. For many senates, this includes classified confidentials, supervisors, and managers that have no other governance representation method already established (i.e. management senate).

8. Create a process for the classified staff to vote on the package of Mission Statement, Constitution, and/or Bylaws. If you use written ballots rather than a hand vote (during a meeting), you might consider asking a small group of classified, students (from the student government leaders), and/or faculty senate members to tally and certify the votes with you. Announce the results to your classified staff first.

9. If approved, present the results of the vote and information concerning the senate to your College/District President and Board of Trustees for District recognition and inclusion in any existing governance policies that may need to be modified. Arrange for approval of the senate by the Board of

Trustees (as appropriate) and start forming your first senate. (having elections, meetings, time lines, etc.)

10. During your first few Senate meetings, vote on becoming a member of 4CS. Send us copy of your Constitution and/or Bylaws and information as to who are your officers to California Community Colleges Classified Senate (4CS) to become a member. Congratulations

All of the work above is to be done on your own time, at your own expense with the exception of items that can be funded as a Staff Development Project. This is to protect your newly created organization from being disbanded. (See: Legal Opinion of State Chancellor's Office regarding Minimum Standards for Staff Participation in Governance) Later, while working with your union and administration, you can arrange for time to meet and funding.

During this whole process, work with the bargaining unit. Remember, you are creating an organization that can not deal with negotiable issues. Also remember, to a large extent, you are the same classified staff that is served by and represented by your union(s).

Writing And Adopting Your First Constitution and/or Bylaws

Generally, it is not necessary to write these documents from scratch. Examples of constitutions and bylaws are available. For example, you can contact 4CS and we will send you examples or call other colleges in your district or area that have a classified senate or look at a copy of your local faculty senate documents for ideas. Like colleges, there are many versions that have been created to meet individual local needs. You will probably find a version that comes close to fitting the proposed structure you would like and then tailor it to your situation.

Originally, most senates use a “constitution” to describe the basic structure of the organization and its purpose, and “policy” or a vote to establish the senate’s existence. If the senate only has a constitution, sometimes that constitution will describe more specific procedures to be used while conducting its business. Some senates have gone further in also adopting a set of bylaws, which when used in conjunction with a constitution, describes the more specific procedures and processes. In this case, when both documents are used, the more general constitution is presented to the local Board of Trustees for approval and acknowledgement, perhaps as part of a larger Board policy on governance. If this is the case the constitution should be only general in nature to allow the senate to function and declare its purpose and extent of responsibilities. It should not be so filled with details and specific in its language that it becomes an unduly restrictive force, limiting the senate’s flexibility and ability to be effective as time and experiences identify the need for change. If every time the senate needs to adjust a timeline or procedure it must go back to the Board of Trustees to approve these micro-changes in operation, no one will be pleased and the senate may become inefficient in carrying out its duties.

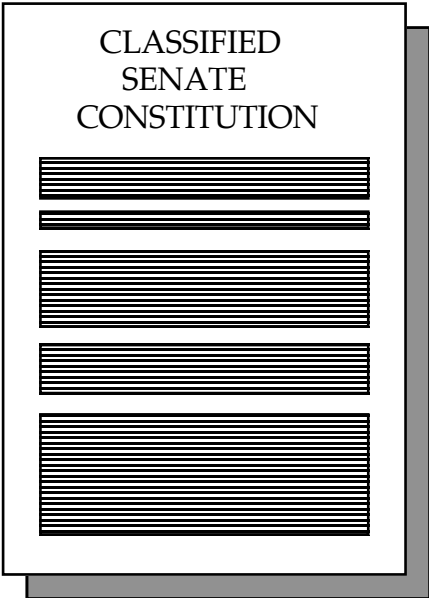
At the Statewide level we have learned that many organizations use only a set of Bylaws as their primary organizational document. Constitutions are not common. To provide details other documents can be created to set a working structure with rules and regulations.

Whichever pattern you use, it is important for the senate and future clarity that it includes a purpose or function statement. Most senates are the governance body through which the classified staff become involved. The document should reflect that the senate is the classified representative body for governance, freely chosen by all the classified staff to do so at the local level. The constitution or bylaws should reflect that the senate is the approved governance voice of the classified it serves. These type of statements are needed for membership in 4CS among others.

For example, the common elements found in constitutions may include: any policy statements, name of organization, mission, purpose(s) and function(s) statements, membership descriptions, representational patterns (all classified participate or use elected senators to represent specific groups or regions of classified staff), titles and general terms of officers, general election information, minimum meeting requirements, amendment procedures, definitions and links to Bylaws or other related documents if necessary.

Elements common in bylaws would include any operational procedures the body adopts, responsibility of officers, specific procedures for filling vacancies and electing new members, what constitutes a quorum, amendment procedures for the bylaws, and a list of standing committees and assignments.

Sample – Community College
Classified Senate Constitution
(a general form)



In an addition to the two samples provided, consider using the various state contacts provided in this guide to request copies of existing classified senate constitutions and bylaws from colleges that have a structure similar to what your classified staff would like to use. Some colleges have revised their constitutions over time and your group may benefit from their experiences and ideas. 4CS is not recommending these as the best examples or recommending that you follow these. We do recommend that you view a number of samples and adopt any aspects that meets your classified’s needs.

Sample Constitution #1 - Community College Classified Senate
(Which Works Without Bylaws)

**CONSTITUTION
OF THE
_____ COMMUNITY COLLEGE
CLASSIFIED SENATE**

(as reviseddate)

Article I
NAME

- Section 1. The organization shall be known as the Classified Senate, hereinafter referred to as the Senate.

Article II
PURPOSES

- Section 1. To provide the classified staff with a formal representative and professional voice in determining institutional positions, policies, procedures and regulations at local and other public bodies.
- Section 2. To provide the President and District Superintendent with recommendations and views on matters affecting the conduct, welfare and growth of the College.
- Section 3. To enable the Senate through the governance structure to address the Board of Trustees with recommendations and views on matters affecting the conduct, welfare and growth of the College.
- Section 4. To promote communication and mutual understanding among the classified staff, faculty, administration, Board of Trustees, students, and other interested person(s) having to do with the conduct, welfare and growth of the College.

Article III
ELECTORATE

- Section 1. The electorate (hereinafter referred to as the classified staff) shall include all classified staff members of _____ College. A classified staff member is one who is hired by the _____ College District as part of the "classified service" (Ed. Code 88003) to fill a permanent classified position.
- Section 2. In special instances the Senate may make specific interpretations as to who may be members of the electorate. It is the general intent and spirit of the Classified Senate to represent all members of the classified staff.
- Section 3. While temporary employees of the District are not formally considered classified employees, they are encouraged to bring topics of concern to the Senate at any time. The Senate can represent the concerns of this group as needed for the benefit of the

College.

Article IV
MEMBERSHIP

Section 1. Any person who is a member of the classified staff and is eligible to vote (see Article III) may be a member of the Senate (Senate member, Senators of the Classified Senate).

Article V
ORGANIZATION

Section 1. The Senate shall consist of nine members, each of which are elected by a functional cluster of classified staff. Additional non-voting, honorary members for temporary employees, union representation and other special groups may be reserved as needed. The Senate shall determine how best to fill the honorary positions.

Section 2. Members of the Senate shall serve terms of two years. The terms shall be staggered.

Clause 1. If necessary, each Senator may choose an alternate within the same functional cluster to cover planned absences. Such absences should not be frequent, but senatorial substitutions will allow for continued operation of the Senate as well as meeting occupational demands.

Clause 2. Alternate Senators shall have all the rights and privileges necessary to conduct the business of the Senate.

Clause 3. Senators experiencing prolonged absences or changes in personal status may resign. Thirty calendar day notice is recommended in order to allow the Senate to fill the pending Senate vacancy.

Section 3. Members of the Senate shall be eligible for re-election. However, no member shall serve more than two consecutive two-year terms.

Section 4. The officers of the Senate shall include but not be restricted to a Chair, Vice-Chair, and Secretary/Treasurer.

Clause 1. These officers shall be elected by a simple majority of the Senate-Elect at the first regular Senate meeting immediately following the seating of new Senate members.

Clause 2. The officers shall serve terms of one year, but shall be eligible for reelection to the same position only once during any uninterrupted holding of a Senate seat.

Section 5. A simple majority of the Senate members or their official alternates (not including honorary members) shall be considered a quorum.

Section 6. The Chair of the Classified Senate shall also be known as the Classified President, and shall serve in honorary functions and as spokesperson for the classified staff; or he/she may delegate these duties.

Clause 1. Special representatives or delegates involving longer commitments to represent the Senate's interest should be chosen by majority vote of the Senate. Eligible candidates for such positions can be anyone with the permanent classified staff including current senators.

Section 7. As necessary to carry out the business and daily operation of the Senate, the Senate shall determine and meet its own organizational needs providing that its actions do not conflict with the Articles of this Constitution.

Article VI

ELECTION PROCEDURE

- Section 1. The President of the Senate shall annually appoint an election committee chaired by a Senator. The Election Committee Chair may not concurrently be a senatorial candidate for the upcoming term.
- Clause 1. The election of Senators shall be held annually during the first seven calendar days following the end of Spring break.
 - Clause 2. Senate policy shall designate specific election procedures, time, and polling place.
 - Clause 3. Any qualified voter may appeal alleged election irregularities to the Senate.
 - Clause 4. Elected Senate members shall take office June 1.
 - Clause 5. In the event of a Senate vacancy for an unexpired term, the Senate shall take timely steps as necessary to fill the vacant seat by special election.
- Section 2. Senate members shall represent the classified staff.
- Clause 1. Each Senate member shall be elected from and be responsible to a specific classified staff functional cluster.
 - Clause 2. Classified staff shall group themselves into functional clusters for the purposes of electing Senate members and being represented during the conduct of Senate business.
 - Clause 3. Organization of functional clusters shall reflect the needs of classified staff to adequately communicate with each other and their representative (Senator). These clusters do not necessarily conform to other District groupings of classified staff. To encourage communication across conventional labor associations, it is recommended that no functional cluster consist of electorate supervised by a single immediate manager or supervisor.
 - Clause 4. Each classified staff member may, independently, choose or change cluster membership in order to obtain better representation. Changes of affiliation may not occur more than once per year. Notification of the intent to change cluster affiliation shall be submitted to the Senate. The Senate shall act within 30 calendar days of request. Upon reassignment or transfer, the classified staff member shall assume membership in the appropriate cluster.
 - Clause 5. The Senate may elect, with a two-thirds majority vote, to change the functional clusters as needed to keep current with changes in the College's classified staff positions. Any change in functional clusters must be ratified by a simple majority vote of the classified staff belonging to the specific groups being modified. Ratification by the classified staff concerned must occur within thirty calendar days of the Senate's vote or the change does not occur.
 - Clause 6. A listing of the current functional clusters shall be attached to the Constitution (see Appendix Section), yet is not to be considered a part of the Constitution.
- Section 3. Members of the classified staff shall be nominated for a term in the Senate:
- Clause 1. By accepting or actively seeking nomination within a cluster and by a simple majority vote of the cluster members.

Article VII
POWERS, CONCERNS, AND RESPONSIBILITIES

- Section 1. Recognizing the bargaining agent to be responsible for items of working conditions and health and welfare of the classified staff, the Senate shall of its own determination concern itself with each or all of, but not limited to the following:
- Clause 1. Professional Concerns - Rights, responsibilities, etc.
 - Clause 2. Professional Standards - Minimum qualifications, job requirements, professional competence, educational needs, accreditation, etc.
 - Clause 3. Professional Personnel Policies - Recruiting, selecting, evaluating, assignments, workload, promotion, retention of competent staff, classified staff development, etc.
 - Clause 4. Academic Policies - Curriculum, admissions, records, special honors, retention of students, articulation, etc.
 - Clause 5. Student Policies and Procedures - Conduct, discipline, activities, special services, general needs, registration, evaluation, fees, requirements, etc.
 - Clause 6. Educational, Business and Other Operational Expenditures - State funding, budget planning, capital outlay, general fund allocation, utilization, etc.
 - Clause 7. Staffing Needs and Support - Staff utilization, growth needs, personnel support, staff employment, etc.
 - Clause 8. Instructional, Student and Administrative Support Services -Library, audio-visual, instructional facilities, maintenance and use of campus facilities and grounds, etc.
 - Clause 9. Instructional Philosophy and Student Needs - College goals, mission, and objectives, effects upon students and staff, community relations, program evaluation, etc.
 - Clause 10. Campus Decisions and Actions that Affect Students and Staff - Instructional, administrative and other actions, daily operation of the college, registration, grading, fees, etc.
 - Clause 11. District and Specific Area Long Range Planning.
 - Clause 12. Governance Committee and College Council Representation - By classified staff members.
 - Clause 13. District Communication Activities - Procedures to enhance communication among all members of the college community.
 - Clause 14. This section in no way limits the bargaining agent where authorized by statute. The Senate shall transfer appropriate topics of concern to the bargaining agent as necessary with or without recommendations.
- Section 2. It shall be the responsibility of the Senate to express its views and make recommendation to the College President.
- Section 3. It shall be the responsibility of the Senate, after due consideration and after notification of the College President, to express to the Board of Trustees the official opinion of the classified staff. Due consideration may require the following:
- Clause 1. Polling by secret ballot when determined necessary by the Classified Senate.
 - Clause 2. Majority vote of the Classified Senate when determined necessary.
 - Clause 3. A simple majority vote of the classified staff.
- Section 4. It shall be the responsibility of the Senate to express its views and recommendations to the College Council, Faculty Senate, or any other District governance body as needed.

It is also the responsibility of the Senate to express its views and recommendations to local, statewide and other public bodies on behalf of the classified staff and the District.

- Section 5. It shall be the responsibility of the Senate to express its views and recommendations to all classified staff in order to keep its electorate informed of its actions and current issues and to improve overall communication between the electorate and other staff members.
- Section 6. The Senate shall make all classified staff appointments to all committees dealing with issues of campus interest except those which are the responsibility of the bargaining agent. The Senate shall determine selection and other procedures as necessary to accomplish this responsibility.
- Section 7. The President and/or Vice President of the Senate shall attend, in person or by proxy, all Board of Trustee meetings. The President may delegate this duty.
- Section 8. The President shall serve a consecutive two-year term on the College Council; one during term in office and one the following year. The Senate shall appoint a third representative at-large for a two-year term to begin July 1.
- Section 9. The Senate shall be available to act as a consultative body to the President of the College in any matter affecting the conduct, welfare, and growth of the College and its students.
- Section 10. The Classified Senate may raise funds for special events, activities and expenses as needed to carry out the purposes of the Senate. The Senate in cooperation with the District shall determine the best handling of the Senate's funds.

Article VIII
PROCEDURES

- Section 1. Any member of the College community (college staff, students, and district residents) may recommend a matter for listing on the Senate agenda by a signed, written notice given to the Senate's President or to any current Senate member.
- Section 2. The President of _____ Community College is a regularly invited visitor for the purposes of bringing matters of importance to the Senate for discussion. The first agenda item of each regularly scheduled meeting shall be held open for the President's use as needed to apprise the Classified Senate of current items and issues of importance to the College. Prior notice for listing on the Senate agenda shall not be required of the President except as necessary to comply with state regulations.
- Section 3. It is recommended that the Senate meet on a regular, semi-monthly schedule in order to be available to the campus community and insure consistency and continuity of the organization. The Senate shall determine and set meeting times and frequency in order to best meet the needs of the classified staff and the District.
- Section 4. The Senate shall distribute reports of its meetings and actions. The President may call meetings of the electorate for informational purposes.
- Section 5. Special meetings of the Senate may be called at the President's discretion, or when requested in writing by a majority of the members of the Senate.
- Section 6. If a vacancy occurs on the Senate, the President shall proceed within thirty calendar days in accordance with Article VI to fill the unexpired term. The President may delegate this responsibility to expedite filling the Senate position.
- Section 7. The Senate may adopt by-laws and/or special provisions to establish rules of procedure for implementing the intent and purpose of this Constitution. The Senate may elect to conduct business by the consensus method (general agreement) or by Robert's Rules

- of Order.
- Section 8. The Senate may have standing committees and may define and limit the powers and duties of these committees. The Senate may form special committees as it deems necessary.
- Section 9. Any four Senators may request a meeting of the electorate if they feel the Senate's actions or inactions need electorate consideration. The President must call such meetings and announce the purposes. The meeting must be called within fourteen calendar days of the request.
- Section 10. All current Senators and Senators-elect shall receive a personal copy of the Senate's agendas, minutes and other current information.

Article IX
AMENDMENTS AND RECALL

- Section 1. The Constitution may be amended by initiative procedure only.
- Clause 1. A petition to amend the Constitution shall be signed by twenty percent (20%) of the classified staff, or shall be signed by two-thirds of the Senate members, and shall be presented to the Senate President.
- Clause 2. Upon receipt of the petition, the Senate shall distribute the proposed amendment(s) to the entire classified staff within thirty calendar days.
- Clause 3. If approved by two-thirds of the classified staff, the amendment(s) shall become effective on a date stated in the amendment.
- Clause 4. Results of the balloting shall be announced within ten regular calendar days after the election.
- Section 2. Senate members may be recalled by their constituents for reasons of due cause including, but not limited to, the following: excessive absences from Senate meetings, non-participation in the assigned duties of a Senator, non-representation of area concerns, or misconduct. The recall process is as follows:
- Clause 1. A petition shall be signed by a majority of the classified staff belonging to a functional cluster and shall be presented to the Senate President; and
- Clause 2. upon receipt of the petition, the Senate shall inform and poll the classified staff within the functional cluster within fourteen calendar days; and
- Clause 3. if a two-thirds majority of the functional cluster supports the recall of their Senator, the office shall be declared vacant. Within ten calendar days the President shall proceed according to Article VI to fill the unexpired term.
- Section 3. The Constitution will stand as voted upon unless modified by amendments. If any portion is found in violation of Local, State or Federal Laws, it will be the responsibility of the Senate to amend that portion to attain compliance rather than to declare void the Constitution. The Senate shall use the amendment procedures in Article IX to carry out this responsibility.

Sample Constitution #2 - Community College Classified Senate
(Which Works With the Sample Bylaws)

_____ COLLEGE
**CLASSIFIED SENATE
CONSTITUTION**
Adopted (date)

*ARTICLE I.
Name*

The _____ College Classified staff hereby forms the _____ College Classified Senate.

*ARTICLE II.
Objective*

The purpose of this organization is to provide a vehicle by which the classified staff is able to fully participate in the goals and mission of the college. It shall be the function of the Classified Senate to participate in the governance of _____ Community College; to actively collect, evaluate and disseminate information for the classified staff; and to represent those non-bargaining interests before and on any governance or college committee.

*ARTICLE III.
Membership*

The membership of the Senate shall include 15 members of the classified staff of the College District. Members may consist of full-time or part-time permanent staff.

*ARTICLE IV.
Officers*

The Classified Senate Officers shall consist of President, Vice-President, Secretary, and Recorder. These officers shall comprise the EXECUTIVE COMMITTEE whose primary function is to expedite the business of the Classified Senate. Duties and responsibilities shall be ascribed in the Bylaws and expanded as seen necessary by the Senate.

*ARTICLE V.
Duties of Officers*

Duties of officers, committee chairs, and committee members shall be ascribed in the Bylaws and expanded as seen necessary by the Senate.

*ARTICLE VI.
Meetings*

The regular meetings of the Senate shall be held each month from September to May inclusive unless otherwise ordered by the Classified Senate.

*ARTICLE VII.
Committees*

The Senate shall have standing and ad hoc committees. Standing committees shall be permanent and conduct the business of the senate. Ad hoc committees shall be established by the president for special purposes and shall be of short duration. The President shall be an ex-officio member of all committees, except the Nominating Committee.

*ARTICLE VIII.
Parliamentary Authority*

The rules contained in the current edition of Robert's Rules of Order - Newly Revised shall govern the Senate in all cases to which they are applicable and in which they are not inconsistent with the Bylaws and any special rules of order the Senate may adopt.

*ARTICLE IX
Amendments*

Any classified staff member may recommend to the Senate, in writing, a proposed amendment to the Constitution.

- IX 1. Amendments to this Constitution may be put to a vote of the classified staff when meeting one or more of the following criteria:
 - A. A two-thirds vote of the Classified Senate.
 - B. A petition signed by not less than ten percent of the staff employees.
 - C. The President of the College following his/her determination that some portion(s) of the Constitution are at variance with the California State Law or the adopted rules and policies of the Trustees of the College District.

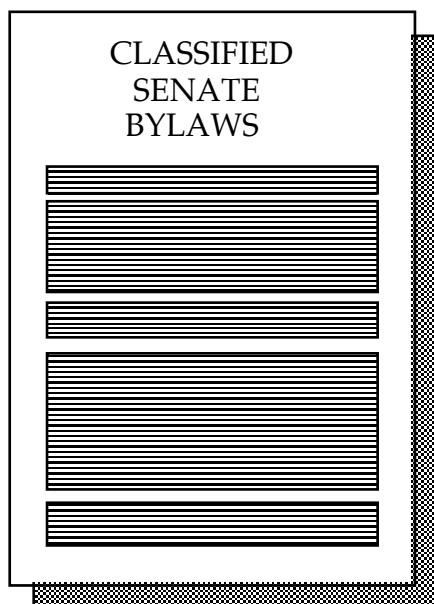
- IX.2. Proposed amendments to this Constitution shall be presented to all classified employees at least ten working days before said amendment proposal is put to a vote. To be adopted, a proposed amendment must receive a simple majority of votes cast.

Additions to and/or changes in the Bylaws may be effected by the Executive Committee upon approval of a majority of the Senate body.

*ARTICLE X
Elections*

The _____ College Classified Senate Elections Committee will conduct a general election each Spring prior to June 1.

Sample - College Classified Senate Bylaws (a general form)



It may be to your senate's advantage to maintain more flexibility when it comes to changing its bylaws, in order to make needed adjustments as you begin to function as a senate. Some college senates have no bylaws, only a constitution, see constitution example #1. As summarized by W. Eisner (in Robert's Rules of Order), "the bylaws should contain all the other rules of the society (senate) which are of too great importance to be changed without giving notice to the society of such change; provided that the most important of these can be placed in a constitution instead of in the bylaws."

Sample Bylaws - Community College Classified Senate
(Works with Constitution Sample #2)

COLLEGE
CLASSIFIED SENATE
Bylaws
Ratified May 21, 1992

Bylaw 1. Senate Membership

- Section 1. Members of the Classified Senate shall be elected, the electorate being defined as those employees who are classified staff of the College District.
- Section 2. Fifteen senators shall be elected, eleven from geographical and numerically balanced areas designated A-K, and four senators at large. Geographical areas will be reviewed and adjusted by a senate committee and ratified by the senate once a year prior to the annual election.
- Section 3. All senators shall serve 2 year terms. Terms shall begin on the day of the last general meeting of the academic year (May). Approximately one-half of the membership of the senate shall be elected each spring semester by the elections process outlined in Bylaw III Elections.
- Section 4. Vacancies and Recalls
- A. Recalls
1. Any elected official of the Classified Senate may be removed from office by a 2/3 majority of votes cast within his/her area.
 2. Any elected official of the Classified Senate may be removed from office by a 2/3 vote of no confidence by the members of the Classified Senate.
- B. Vacancies
1. The President may declare a vacancy when a senate member has been absent for more than three consecutive meetings.
 2. In the event of a vacancy of the senate, the Classified Senate may, at their option:
 - a. Choose to elect a replacement according to the regular election procedure;
 - b. authorize the president to appoint a classified staff member to fill the vacant senate position;
 - c. or, decide to leave the seat vacant until the next regular election.
 3. Reassignment
In the event that a senator must move from one geographical area to another, he/she will continue to represent his/her original constituency.
- Section 5. Duties and responsibilities of the classified senators shall include, but not be limited to, Article II of the Classified Senate Constitution.

Bylaw II. Executive Committee (officers)

- Section 1. The Executive Committee shall be comprised of the President, Vice President, Secretary, and Recorder.
- Section 2. Elections and Term of Office

The Executive Committee members shall be nominated and elected by the senate body during the first meeting at which the newly elected senators assume office in May (see Bylaw 1, Section 3). Terms shall be one year, with a limit of two consecutive terms.

Section 3. Duties and responsibilities

- A. Duties of President shall include but not be limited to the following:
 - 1. Serve as official representative of the Classified Senate in all venues.
 - 2. Be responsible for all required reports and recommendations.
 - 3. Chair and facilitate all regular senate meetings.
 - 4. Administer and maintain the affairs of the classified senate between meetings.
 - 5. Serve as ex-officio member of all senate committees.
 - 6. Chair of Executive Committee.
 - 7. Serve on college committees requiring the Classified Senate President, and other committees as time allows.
 - 8. Meet regularly with the Superintendent/President.
- B. Duties of Vice President
 - 1. Assume duties of President during the president's absence, at the request of the President or for the unexpired term in the event the President cannot serve.
 - 2. Serve as coordinator of committee chairs and ex-officio member of all committees. Report on current status of committees activities to executive committee and senate.
 - 3. Chair of the Nominations Committee and Chief Election Officer for all Senate elections.
 - 4. Perform those duties delegated by the President.
- C. Duties of the Secretary
 - 1. Assume duties of President in absence of President and Vice President in regards to facilitating meetings.
 - 2. Serve as official documentarian/historian of Classified Senate.
 - 3. Shall be responsible for finances of the Classified Senate and all reports pertaining thereto.
 - 4. Be responsible for Senate correspondence and the dissemination of information to all classified senators and staff.
 - 5. Be responsible for attendance roll and all records of the Classified Senate.
 - 6. Monitor and amend geographical employee roster via the Personnel Office twice a year; immediately prior to annual elections and 6 months thereafter.
- D. Duties of the Recorder
 - 1. Assume duties of President in absence of President, Vice President and Secretary in regards to facilitating meetings.
 - 2. Assume responsibility of recording all minutes of Classified Senate and Executive Committee and distribution of such.
 - 3. Monitor legislative information pertaining to college finances in general and classified staff in particular and report on same to the Senate.
 - 4. Perform other duties as necessary as delegated by the President or assigned by the classified senate.

Section 4. Executive Committee functions

- A. The Executive Committee shall meet approximately every four weeks in the interval between Senate meetings.
- B. The duties of the Executive Committee shall include, but not be limited to:
 - 1. Develop agenda for Classified Senate meetings.
 - 2. Review committee reports and place said report on agenda for senate action when appropriate.
 - 3. Review report/request from all other sources to determine if they should be placed on the agenda.
 - 4. Call special meetings of the Senate if necessary.
 - 5. Authorize and approve expenditures.
- C. All meetings of the Executive Committee shall be public forums, but no one shall address the Executive Committee except at the pleasure of the committee.

Section 5. Vacancies and Removal from Office

- A. Vacancies shall be consistent with Bylaw 1.4.B.1.
- B. A member of the Executive Council may be removed from office consistent with Bylaw 1.4.A.2.

Bylaw III. Elections

Election procedures shall be developed by the Classified Senate for yearly elections as outlined in the Constitution and Bylaws guidelines. An elections committee shall be appointed each year by the vice-president, chief election officer, and shall carry out the responsibilities and procedures in "Guidelines for Elections, Appendix 1*", attached to these bylaws.

Bylaw IV. Meetings

Section 1. Meetings shall be open to the public and governed by Robert's Rules of Order as stated in Article VIII of the Constitution.

Section 2. Meetings shall take place once a month from September to May inclusive pursuant to Article VI of the Constitution. Meetings shall be set on a yearly calendar in conjunction with the Board of Trustee meetings to optimize flow of information, i.e., report of previous Board meeting and report from pre-Board meetings regarding agenda for the next Board session.

Section 3. A quorum shall be established as 51% of the senate body. A lack of a quorum shall constitute discussion without action.

Section 4. A Classified Senate agenda shall consist of but not be limited to:

- A. Agenda Approval
- B. Approval of Minutes
- C. Public Comments
- D. Communications
- E. Executive Committee Reports
- F. Committee Reports
- G. Old Business
- H. New Business
- I. Other

Bylaw V. Committees

Section 1. Standing Committees of the Senate

- A. Standing Committees shall be permanent and established or dissolved by the Executive Committee and ratified by the Senate.
- B. The purpose of each Standing Committee shall be established by the Executive Committee and clearly stated in the minutes.
- C. Standing Committee Chairs must be members of the Senate and shall be appointed by the Senate President. Committee members shall not be limited to members of the senate. A minimum number on any one standing committee shall be three.
- D. Committee membership shall not exceed the duration of the president's term. Any appointee can be removed by a simple majority vote of the Executive Committee.
- E. Standing committees shall meet a minimum of four (4) times a year unless otherwise specified by the Executive Committee and ratified by the senate.
- F. The Chair shall report committee activities to the Executive Committee at its regularly scheduled meeting and to the Vice President of the Senate upon request by the same.
- G. Standing committees include but are not limited to the Appointments Committee.

Section 2. Ad Hoc Committees

Ad hoc committees shall be established by the President for special purposes and be of short duration. The president shall be an ex officio member of all committees, except the Nominating Committee.

Section 3. Campus-Wide College Committees

- A. Requests and recommendations for classified staff appointments on campus-wide college governance committees may be made to the Appointments Committee or the Classified Senate President who will submit said request and recommendations to the Appointment Committee for approval.
- B. Committee member appointments shall be made by the Appointments Committee unless unable to do so due to time constraints. In such circumstance, the Classified Senate President may make the appointment.

Bylaw VI. Amendments

Section 1. Recommendations

Suggestions for amendment to these bylaws can be made by submitting a written request to the Executive Committee a minimum of 10 days prior to the next senate meeting. The Executive Committee shall place all amendment recommendations on the next senate agenda for discussion. Amendments to the bylaws shall be made with a simple majority vote of a senate quorum.

Section 2. Action

Upon no action by the senate on a suggested bylaw amendment, the amendment may be resubmitted as an agenda item upon receipt by the president of a petition with 15 classified staff signatures.

Legal Opinion of State Chancellor’s Office regarding
Minimum Standards
for Staff Participation in Governance

“ Staff
should have the
choice
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views
on governance
matters.”

Legal Opinion regarding Minimum Standards for Staff Participation in Governance

LEGAL OPINION of State Chancellor's Office regarding Minimum Standards for Staff Participation in Governance

Staff should have the choice of how they want to organize and present their views on governance matters. They should have the flexibility to choose how they organize and provide views on governance matters.

They have the right to form, join and participate in the activities of an employee organization.

PERB uses a two-step approach in determining a violation of the exclusive bargaining agent's rights:

1. If the group constitutes an employee organization. That is, does the employee organization:
 - a. Meet regularly?
 - b. Consist of elected representatives?
 - c. Make recommendations on bargaining issues?

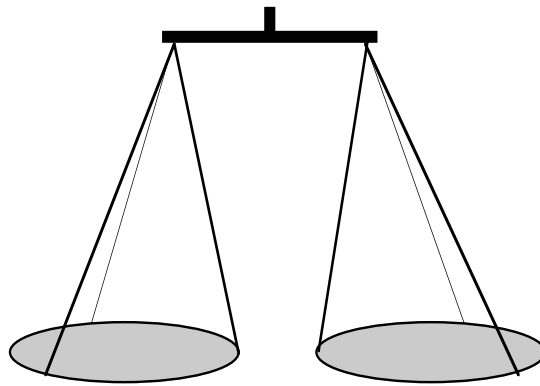
2. If so, does the totality of circumstances include:
 - a. Support by the governing board as shown by
 - (1) Employer financing group?
 - (2) Employer giving employees release time?

 - b. Domination by governing board as shown by
 - (1) Employer scheduling organization's meetings?
 - (2) Employer determining the agenda?

 - c. Interference of governing board as shown by
 - (1) Employer taking action to favor the group or undermine the credibility of the exclusive representative.

(a more detailed discussion of this can be found in the Discussion Paper “The Right to Choose...”)

Legal Opinion M90-24
(...consultation with classified staff...)



“Issue: To what extent can a community college district establish or provide for the establishment of a mechanism for consultation with classified staff without violating collective bargaining laws.”

California Community Colleges

Legal Opinion M 90-24

(...consultation with classified staff)

ISSUE:

To what extent can a community college district establish or provide for the establishment of a mechanism for consultation with classified staff without violating collective bargaining laws.

ANALYSIS:

Collective bargaining for community college employees is governed by the Educational Employment Relations Act, Government Code Section 3540 at seq. (EERA). For purposes of this discussion, the threshold question is whether a group of employees with which the employer consults can be said to constitute an “employee organization” within the meaning of Section 3540.1 (d) which defines that term as “any organization which includes employees of a public school employer and which has as one of its primary purposes representing those employees in their relations with that public school employer”. Assuming this question is answered in the affirmative, it is then necessary to determine whether the relationship between the employer and the employee organization is such that it would lead to a violation of Section 3543.5 (d). That section provides that it is unlawful for a public school employer to “dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it or in any way encourage employees to join any organization in preference to another”.

In interpreting these provisions, the Public Employment Relations Board (PERB) has looked to the decisions of the courts and the National Labor Relations Board (NLRB) construing the substantially similar provisions of the National Labor Relations Act (NLRA). Thus, before examining the California cases, it may be useful to review the federal law in this area.

Section 2 (5) of the NLRA defines “labor organization” as “any organization of any kind or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work”. In NLRB v. Cabot Carbon, 360 U.S. 203 (1959) the Supreme Court broadly construed the “dealing with” language of Section 2 (5) to include an employee committee which merely met to discuss concerns with the employer. Thus, Cabot Carbon stands for the proposition that an employee group need not engage in actual bargaining in order to qualify as a labor organization under the NLRA.

In subsequent cases the NLRB has attempted to refine this general principle and explain precisely what characteristics an employee group must possess to be considered a labor organization. In Ferguson-Lander Box Co., 151 NLRB 1615 (1965) the NLRB found that an employee committee was a labor organization where the committee was set up by management as a mechanism for facilitating discussion of issues and soliciting recommendations from workers on ways to improve working conditions. On the other hand, in Fiber Materials Inc., 228 NLRB 933 (1977) the NLRB held that a labor organization did not exist where management met with employee representatives on two occasions to answer questions about health benefits. Thus, in the approach taken by the NLRB, one

critical question is whether the employee group merely discusses work related matters or goes further and actually makes recommendations to the employer on such subjects.

The NLRB has also recognized that employee groups which exercise managerial authority delegated by the employer are not labor organizations within the meaning of Section 2 (5). In Sparks Nugget, 230 NLRB 275 (1977), the NLRB held that an employees council was not a labor organization because it simply processed grievances for the employer and did not recommend policy changes or advocate for the employees. The decision in Sparks Nugget points out that "...it cannot be said that the Employees Council herein 'deals with' management. Rather, it appears to perform a function for management, i.e., resolving employee grievances." Id. at 276. In a similar case, Mercy Memorial Hospital, 231 NLRB 1118 (1977), the NLRB concluded that an employee grievance committee was not a labor organization despite the fact that, on one occasion as part of the resolution of a particular grievance, the committee did recommend a change in the company's service pin award policy.

An instructive application of both of these principles occurred in General Foods Corp., 231 NLRB 1232 (1977). In that case, the company had established a job enrichment program in which the authority to make certain managerial decisions (such as job assignments and scheduling overtime) was delegated to teams of employees. The NLRB held that these delegated powers precluded a finding that the teams were labor organizations. However, the complaint also argued that the teams functioned as labor organizations because at team meetings employees sometimes made recommendations on personnel matters. The ALJ's decision, which was affirmed by the NLRB disposed of this contention by noting:

A team could not be a bargaining agent because it lacked the structure and capacity to be an organization of any kind. No team had a team spokesman. At every team meeting those who spoke did so on their own behalf and in their own individual capacity. If such a set of circumstances should give rise to the existence of a labor organization, no employer could ever have a staff conference without bringing forth a labor organization in its midst.

Thus, in order to be classified as a labor organization under the NLRA, it is not necessary that an employee group actually negotiate, but it must do more than discuss employment related matters or exercise authority delegated by management. If recommendations are made to the employer about work related matters the chance increase that the group will be regarded as a labor organization, but this must occur more than occasionally and the recommendations must be made by the group as a whole rather than by individual employees acting on their own behalf. Moreover, while it is not essential that the group meet regularly and have a formal representative structure, but these factors appear to make it more likely that the group will be treated as a labor organization.

If a particular employee group is deemed to be a labor organization, then the next inquiry is whether the employer has committed an unfair labor practice by supporting, interfering with, or dominating that organization. This problem usually arises where an established union, which has been selected as the exclusive representative of the employees in a bargaining unit, challenges efforts by the employer to deal with another employee group. Such a challenge is most likely to succeed where there is evidence that the employer created the group, contributes to its support, or dominates its deliberations.

For example, in Ferguson-Lander Box, supra, the NLRB found that the employer violated the NLRA by contributing support to the employee committee and dominating its deliberations. Meetings were held on company property, elections were hold during working hours, and. since the committee lacked a dues structure, it was entirely dependent on the employer for funding. In addition, there was

evidence that management advocated the establishment of the committee, determined its structure, participated in determining the number of members on the committee and the length of their terms, prepared the ballots for the elections, supervised their counting, and determined when the committee would meet. This convinced the NLRB that the employee committee was established to, or at least had the effect of, undermining the effectiveness of the duly elected exclusive representative and therefore constituted an unfair labor practice.

As indicated above, the PERB has largely adopted this same approach for public sector employers in California. In State of California Department of Developmental Services, PERB Dec. No. 228s (1982) the PERB held that an organization need not have formal structure, seek exclusivity, be engaged in actual bargaining, or be concerned with all aspects of the employment relationship in order to constitute an employee organization under Section 3540.1 (d) of the EERA. Instead, the proper inquiry is whether the group has, as its central focus, the representation of employees on employment related matters. Id. In Oak Grove Educators Association, PERB Dec. No. 582, (1986), PERB found that a teachers forum was an employee organization because, although the employer disclaimed any intention to undermine the union, the forum was composed of formally elected representatives who met regularly to discuss employment related matters including some items within scope under EERA.

Certainly the most important PERB decision in this area is Redwoods Community College District, PERB Dec. No. 650, 12 PERC 19018 (1987). In this case, the PERB adopted the decision of an ALJ finding that the Redwoods Community College District had violated EERA by establishing a Classified Employees Council (CEC) which met regularly to discuss employment related matters and make recommendations to management. 10 PERC 17139. In 1983, the District Superintendent proposed the establishment of the CEC for the purpose of improving communications and morale, and for the purpose of providing “an avenue of representation for the classified employees”. Id.

The district maintained that the CEC was not an employee organization because it was not involved in bargaining. However, the ALJ found that CEC did constitute an employee organization within the meaning of Section 3540.1 (d) because it met on a regular basis, consisted of elected employee representatives, was given a regular agenda slot at Board of Trustees meetings, participated in administrative committees, and made recommendations on budget and programmatic matters.

Having so concluded, the ALJ then went on to find that in the totality of the circumstances the district had supported, dominated, and interfered with the CEC's operations in violation of Section 3543.5 (d). The district provided funding for the activities of CEC, provided release time to its members, and allowed it to use district facilities and stationary. In addition, the Superintendent proposed the CEC, he and other administrators participated in its meetings, and the district personnel office conducted the CEC elections. Also, the CEC was provided a regular slot on the governing board's agenda, and was asked to participate in the Administrative Organization Task Force. Requests by the exclusive representative for similar opportunities for representation were denied. Finally, there was evidence that this close relationship between management and the CEC tended to lead employees to believe that problems could be resolved more quickly and effectively through CEC than through their exclusive representative.

In adopting the ALJ's findings, PERB noted that “the CEC was designed as a representative body with the primary purpose of making recommendations to management.” After reviewing the NLRB decisions cited above, PERB went on to conclude “CEC's activities went beyond discussions but fell short of constituting delegated managerial decisionmaking authority as contemplated in Sparks Nugget.” 12 PERC 19018. In to doing, the PERB discussed the NLRB cases cited above and noted

that: “CEC's activities went beyond discussions but fell short of constituting delegated managerial decisionmaking authority as contemplated in Sparks Nugget.” Id.

On the other hand, in Riverside Community College District, 13 PERC 20054 (1989) a PERB ALJ found that no violation occurred where the district superintendent met once with an adhoc group of faculty members and administrators, to discuss, among other things, the status of negotiations which were then underway with the exclusive representative. The ALJ was persuaded that the meeting did not involve actual bargaining, was limited to the exchange of information, and did not have the purpose or effect of undermining the union's bargaining position. By contrast, in Klamath Trinity Joint Unified School District, 14 PERC 21006 (1990) the district superintendent met directly with a group of teachers and negotiated a settlement to a grievance which had been filed by the exclusive representation. As a result of this clear interference with the exclusive representative, the ALJ found a violation even though the same conduct (holding one meeting with a group of teachers) was involved.

CONCLUSION:

The PERB uses a two-step approach in determining whether an employer’s consultation with a group of employees other than the exclusive representative is a violation of the EERA. First, it must be established that the group constituted an employee organization. If so, PERB will then look at the “totality of the circumstances” to determine whether the employer's conduct amounted to support, domination, or interference within the meaning of Section 3543.5 (d).

No single factor is determinative at either stage of this analysis. A group of employees is more likely to be considered an employee organization if it meets regularly, consists of elected representatives, or makes recommendations to management on bargainable issues. On the other hand, a group which simply discusses employment related matters or exercises powers delegated by management would probably not be classified as an employee organization. Similarly, a violation of Section 3543.5.(d) is more likely if the employer finances the group, gives employees release time, schedules the meetings, determines the agenda, or takes any other action which would tend to favor the group or undermine the credibility or bargaining position of the exclusive representative.

Delineation of Functions
Examples of Agreements between Community College
Senates and Unions

Representing
the
Classified Staff,

Senate and Unions
are
Working Together

Included in this section are examples of “Delineation of Functions”. These are examples of how the classified staff at different colleges and districts have determined and mutually agreed upon separate and supportive roles for their classified union(s) and classified senate. (Actual documents have been reformatted) Underlining these agreements is a realization that both bodies represent and serve the classified staff. Also, a more general sample of roles or delineation of functions is provided for discussion purposes. Additional examples are available from 4CS for your consideration upon request. At locations where the classified staff have successfully worked out this important issue among themselves, classified have a history of becoming more effective in presenting their views and interests on local governance issues as they arise. Significantly increased levels of respect for classified staff and their ability to contribute also result. For the benefit of the students, all staff organizations need to be strong and successfully working together toward the district's mission.

DELINEATION OF FUNCTIONS STATEMENT

Chaffey College

California School Employees Association Chapter #431 and Chaffey College Classified Senate

February 23, 1993

Chaffey College Classified Senate

The role of the Classified Senate is to participate effectively in the formation of college policy and procedures. The Chaffey College Classified Senate expresses the view of classified (bargaining unit, confidential and classified management) in the shared governance process, excluding all areas of Collective Bargaining.

Specifically, the Classified Senate has the responsibility to:

- A. Provide the classified staff a voice and participation in the initiation, development and evaluation of District policy and procedures.
- B. Provide the Administration and Governing Board with a means of ascertaining the convictions and suggestions of the classified staff on academic and professional matters.
- C. Appoint, classified staff to participate in college-wide standing and ad hoc committees.
- D. Accept leadership responsibility for policy recommendations in innovation and professional growth, excluding all areas that would require collective bargaining.
- E. Provide consensus participation by the classified staff in the college budget and policy processes.
- F. Encourage the exchange of ideas and understanding between classified staff, faculty, students and administrators.
- G. Promote the recognition of classified staff as a valued part of the college work force.

Chaffey College

California School Employees Association, Chapter #431

The California School Employees Association, Chaffey College Chapter #431, hereafter referred to as the Association shall be recognized as the "exclusive" representative for the classified employees within its bargaining unit. The Association expresses the viewpoint of the classified bargaining unit to the college administration and Governing Board in all matters including, but not limited to, Collective Bargaining.

The rights and responsibilities of the Association derive from the Public Employees Relations Act (SB 160, Rodda), from the interpretations of this Act by the Public Employees Relations Board, by the Collective Bargaining Agreement, Past Practices, and other applicable laws. The Association's scope of representation shall include, but not be limited to, all matters dealing with the collective bargaining process, wages, hours of employment, workload, terms and conditions of employment.

In addition, the Association has "exclusive" authority to:

- A. Consult with the administration on the implementation of the current employment contract, collective bargaining and Board policies as they fall within the scope of representation.
- B. Represent individual classified bargaining unit members in any or all stages of the grievance procedure.
- C. Serve as an advocate for classified bargaining unit members in grievance procedures.
- D. Arrange for appropriate legal assistance for classified bargaining unit members in matters related to their contractual position at Chaffey College. Such matters may include, but are not limited to: layoff, reductions in contract, dismissal, lawsuits, job actions, etc.
- E. Provide the community, press, and Governing Board with information relevant to the working conditions of the college classified bargaining unit and information concerning current relations between the District and the classified bargaining unit.
- F. File appropriate legal actions including Unfair Labor Practice Charges on behalf of the classified bargaining unit.
- G. Provide the classified bargaining unit with perspectives and analysis on the District's budget and funding pattern as well as comparative salary and benefit information.
- H. Support appropriate social, cultural and institutional activities as directed by the membership of the Association.
- I. Support appropriate professional growth activities for the classified bargaining unit that increase educational leadership opportunities.

Joint Responsibilities

It is the joint responsibility of the Classified Senate and the Association to ensure that the employees in the classified service have meaningful input into the decision-making processes of the college.

It is the joint responsibility of the Classified Senate and the Association to work cooperatively to further the perspectives and professional environment of the employees in the classified service so as to ensure a sound institution of higher education. The Classified Senate and the Association have a joint responsibility to avoid the development of divisive or discordant positions and/or goals.

Joint Liaison Committee

The Senate/Association Liaison Committee shall be composed of four (4) members. Said composition shall be the President of the Senate plus one (1) additional representative of his/her choice from the Classified Senate and the President of the Association plus one (1) additional representative of his/her choice from the Association.

Upon a single written request of either President of the Senate or the President of the Association, the Liaison Committee shall convene for the purposes of mediating unresolved conflict.

s/ Gloria McLeod, President
 Chaffey College CSEA Chapter #431
 s/ Mary Thompson, President
 Chaffey College, Classified Senate

ROLES OF CCCCDC CLASSIFIED SENATES AND LOCAL ONE

The Classified Senates promote the interests of all Contra Costa Community College District classified staff in accordance with AB 1725 mandates.

The Classified Senates are organized to:

- (a) participate in the sites governance structure;
- (b) provide a body representing the needs, concerns and viewpoints of the classified staff other than contract issues;
- (c) provide a centralized means of communication between classified staff and the rest of the college community;
- (d) select from its membership representatives to serve on governance and college committees;
- (e) articulate the professionalism of the classified staff so that it is properly recognized and valued;
- (f) provide an opportunity for enhancing the democratic process of governance, and
- (g) provide an opportunity to develop individual leadership among the classified staff, as well as increase the professional standards of its members;
- (h) promote and support activities that develop or increase the skills, productivity and professionalism of the classified staff;
- (i) promote the interests of the classified staff in the development and formulation of policy and practice related but not limited to the following:
 - Selection and retention of administration.
 - Staff development education.
 - Facilities and services.
 - Student/classified and faculty/classified relations.
 - Finance and budget.

Local One is the exclusive bargaining agent for all unit classified employees in the Contra Costa Community College District.

Local One negotiates and represents classified staff in contractual issues such as:

- (a) Wages, including salary schedule and placement, promotions, seniority, layoff and reemployment rights, initial classification and reclassification;
- (b) Hours of employment.
- (c) Health and welfare benefits, including holidays and vacations.
- (d) Leaves, transfers and reassignment policies.
- (e) Safety conditions of employment, including district-initiated disability leaves.
- (f) Procedures to be used for the evaluation of employees.
- (g) Organizational security - That is Local One has the sole and exclusive right to have membership dues and service fees deducted by the District for employees in the bargaining unit.
- (h) Procedures for processing grievances and disciplinary actions.
- (i) Any procedure that is defined in contract, shall be the responsibility of Local One in case of duplication of Classified Senates and Local One organizational tasks and policies.
- (j) Select employees to serve as representatives for Local One on committees.

All issues of concern to classified employees are open for discussion by either Local One or the Classified Senate, but communication to management regarding specific issues will be made only through the appropriate representative body. The leaders of the Classified Senates and Local One agree to meet at least quarterly to share common concerns. This document will sunset one year from date of signing.

CLASSIFIED SENATE
Dan Silvia, CSCC Chair
Dated: 7-28-93

LOCAL ONE
Sharon Valdez, CCCCDC Unit President
Dated: 7-26-93

GENERAL DELINEATION OF FUNCTIONS STATEMENT / MODEL

	CLASSIFIED SENATE	BARGAINING AGENT
Membership	Automatic for all classified, confidential, manager/supervisor, classified administrator staff –Title V / AB1725	Bargaining unit members only. (Required for all bargaining unit members.)
Dues	None.	Mandatory monthly dues.
Participation	Voluntary. Open to ALL classified staff, classified confidential, classified manager/supervisor, and classified administrator staff.	Open for bargaining unit classified members only.
Voting	All classified staff, including confidential, manager/supervisor, and classified administrator staff are eligible.	Dues paying members only.
Role.	The Classified Senate is a professional organization promoting the interests of all categories of classified staff as defined by Ed. Code or as defined by the local senate constitution and/or bylaws	The bargaining agent is the exclusive bargaining agent for the District. At some districts there may be more than one bargaining agent.
Purpose	<p>The Classified Senate has been organized to:</p> <ol style="list-style-type: none"> 1. participate in the participatory (shared) governance structure of the college/district; 2. provide a body representing the needs, concerns, and viewpoints of all the classified staff on <u>other than contract (collective bargaining) issues</u>; 3. provide a centralized means of communication between ALL classified staff and the rest of the college community; 4. select representatives from its membership to serve on governance and college/district governance related committees; 5. provide an opportunity for classified staff to enhance the democratic process of shared governance; 6. articulate the professionalism of the classified staff so that it is recognized and valued; 7. provide an opportunity to develop individual leadership among the classified staff; 8. provide a vehicle to increase in professional standards of its members; 9. promote and support activities that develop or increase the skills, productivity, and professionalism of all classified staff; 10. promote the interests of the classified staff in the development and formulation of policy and practice related but not limited to the following: <ul style="list-style-type: none"> • Selection and retention of administration • Staff development education • Facilities and services • Student/classified and faculty/classified relations • Finance and budget • Student success and services • Community relationships 	<p>The bargaining agent(s) negotiates and represents most classified staff in contractual issues such as:</p> <ol style="list-style-type: none"> 1. wages, including salary schedule and placement, promotions, seniority, layoff and reemployment rights, initial classification and reclassification; 2. hours of employment, including pre-retirement reductions in contract; 3. health and welfare benefits, including holidays and vacations; 4. leaves, transfers, and reassignment policies, including sick leaves, maternity leaves, bereavement leaves, military leaves, industrial accident leaves, personal necessity leaves, and unpaid leaves of absence; 5. safety conditions of employment, including district-initiated disability leaves; 6. procedures to be used for the evaluation of employees; 7. procedure for processing grievances and disciplinary actions. 8. promotes the well being and rights of member classified employees by: <ul style="list-style-type: none"> • participating on collective bargaining related committees • representing the needs, concerns, and viewpoints of the unit members; • serving as a communication link within its membership and to the college/district on bargaining issues; • Selecting representatives from its membership to serve on governance and District committees as appropriate. • Communicating union rights and responsibilities with its members.

THE ROLES OF CLASSIFIED STAFF PARTICIPATING IN GOVERNANCE AND CAMPUS ACTIVITIES

(Concepts for Discussion)

Governance and Collective Bargaining

For those involved in collective bargaining and union rights issues, the legal responsibilities and behaviors for classified, serving as representatives, officers or members, is specific, critical and well defined in law. The arena within which is their scope of responsibility is very different than participatory governance and is dictated by many detailed statutes. It most often involves resolving personality conflicts, preventing the abuse of union rights and the advocating for personal needs to maintain the health and well being of the staff. This is important work which can contribute to a positive work environment for all and improve the effectiveness and service to our students.

Participation in shared governance is much less defined and regulated by law, and rightfully so. The diversity of issues with which it will face is broader. It should and must be a process that takes in account the needs and wishes of many diverse segments of our communities and staff. Decisions in governance rely less on a few individuals and more on a process which involves many individuals and steps. With less directives in law, participation in governance must rely on altruist motivation, self-regulation driven by ethical behavior, following good collaborative practices, remaining non-adversarial, understanding all of the aspects of an issue, accepting the validity the perceptions of others, having faith that a diversity of perspectives will lead to a better decision than, perhaps, your own, focusing on the issues at hand rather than personality conflicts, extending trustworthiness in all your actions, and giving respect to your colleagues.

Representation and Responsibilities – Participatory / Shared Governance

As you “represent” the senate, you are able to take a global view, charged to work more independently, accept the responsibility to improve and open communications between colleagues, and share in a responsibly to work for all concerned, in addition to your classified colleagues.

In an older more combative paradigm, perhaps an adversarial committee meeting or an adversarial collective bargaining negotiation, it was your responsibility as a participant to represent your constituents. In the realm of collective bargaining and protecting union rights it is critical and required that you represent your constituent(s) directly and formally. Your constituents may have been people working with you or members of a traditional employment regime. Even in governance and work in committees, your responsibility or participation in the meeting may have been to “take a stand” or “position” which represented the current view or opinion of the group. Such action was often easier, involving less personal risk, than solving the problem or issue as it expands and changes during the meeting. Often, presenting a position allowed you to wait and go back to your constituents before deciding what to do next. It is safer to only present a position – be a spokesperson – than become personally involved in the crafting of outcomes or recommendations, and later be held accountable for your participation.

One immediate problem that surfaces is that the position you presented was pre-formulated based on the knowledge of the group at the time the position was decided upon. During a shared governance meeting, new perspectives and perceptions are “shared” and discussed. One must listen and

understand. You now possess new information on the issue that your constituents do not. This can quickly make maintaining the “position” of your group, as your only role, ineffective. Perhaps, maintaining your position will result in being contrary to the best interests of everyone involved, including your constituents. Can you break out of the old paradigm and act? Do you have the respect and freedom from your group to think and really work for a better solution?

As you serve on a participatory governance committee or taskforce, are you still serving only to represent “your” constituents or have you become a “participant”? Which is the best concept for meeting the goals of the group of which you are now member? Can you maintain your personal integrity and yet be free to act independently as a participant, on behalf of our constituents and other colleagues? As you work on each issue with the others on the committee, can you freely move toward the improvement of the institution or build a solution for the issue, or to make mistakes. Should not your purpose in participating in shared governance be to improve the institution, for all involved. Should you not use the strengths of your background and energies to assist the institution in fulfilling its mission to the best of your abilities and knowledge. Should you not commit to and reach for the best solutions to our problems, solutions that are good for us, all.

This is a different paradigm that will lead you to act differently while participating in governance, yet remaining respectful of your constituent’s interests as you truly represent them. Perhaps, the universal concept of leadership is involved in this difference. Perhaps giving each other more trust to work on our behalf through governance will benefit us, all. This new responsibility to participate as a group representative is the challenge that is participatory governance.

Can We Define Professionalism

In a very practical sense professionalism is a matter of personal attitude, expertise and commitment. It has many aspects and parts. It seems to change its emphasis in the different situations that we can find ourselves, yet, for the individual, is always a self-standard for one’s behaviors and beliefs. For some it is being consistent with your training and educational experiences, using your knowledge. For others it emphasizes behaving consistently, within your convictions, ethical standards, core values and moral beliefs, regardless where or with whom you find yourself. How do you define professionalism?

If you agree or realize it is an attitude, then any one can possess it; therefore, it does not belong to any, one group.

Professionalism is not an attribute that can be assigned or for which one receives a degree. In the final analysis, being professional comes down to having a combination of personal attitude, self-determination, sharing of knowledge, acceptance of responsibility and a solid commitment to job, family and community. A professional classified member cares deeply about the quality of her or his work and is personally committed to producing a high quality outcome. The member can stay focused on what is important and what is needed and sets personal priorities. They take responsibility for their actions, rarely blaming others for situations they could have had control over. They understand the importance of their work and work toward building a stronger and more responsive community college system. As individuals, professional classified seek new knowledge to expand their expertise, and are willing to apply that knowledge without direct supervision or specific moment-by-moment instruction. They can work independently as significant elements in our various institutions and can contribute as a strong team member, along with our many colleagues, to a greater accomplishment or goal. Classified staff, as true professionals, do more than what is expected for the benefit of others; our students and institutional colleagues. As professionals, they contribute wherever their help is needed and they can.

They are accountable and accept shared ownership in determining the direction of our community colleges, districts and lives, as appropriate.

The Classified Senates support the concepts of professionalism for all classified personnel, not for just a selected few. Because we are professional governance organizations within the community college system, we are in an excellent position to do this and can provide opportunities to promote and encourage professionalism among each other. Unions strive to provide and protect suitable working conditions within which classified personnel can more readily function as professionals. Unions differ from senates in that they are independent organizations, i.e., they are not strictly functional units within the community college system, but they represent their community college members in collective bargaining issues. They need to maintain this separation and independence in order to be effective and to successfully protect their members and their organization. Although the protective responsibility held by unions is very important to many classified personnel, it sometimes places them in an adversarial position that prevents them from being as effective in all aspects of shared governance. Although unions can contribute significantly to the professional standing of some classified personnel, it is the classified senate that can best support and promote this concept overall. The classified senate provides a positive, philosophically unique outlook that can effectively fill the void historically present for classified professionals that are only represented by a union. Both unions and classified senates contribute and complement each other as we work successfully together, yet in different ways and arenas of responsibility, to improve our professional standing and levels of respect among our colleagues. There are many professional classified across the state. Classified senates accept and promote the concept that all classified personnel within the community college system can be and should be considered professionals. We are all professionals.

Senates – What Good Are They?

Among many other benefits you might be able to add, fellow classified colleagues share their professional interests together as senates. Classified staff believe in the benefits of higher education for our families and our communities. Through our senates, we contribute to improving community colleges for the benefit of our students. Senates are dedicated to serving the mission of their colleges and districts for the benefits to us all, in our communities. By exercising their collaborative, classified voice in a democratic manner, the senate becomes responsibly involved in shared governance. The classified staff and their senate can make significant improvements: to district policies, to the effectiveness and accountability of governance committees, to the directions and planning of the colleges, to the quality and diversity of input in the governance process, to the learning environment in many different ways, to services available to our students, to the overall campus climate, to encouraging positive working relationships, to improve district communications among all staff members, to the future health of each college and district and to the efforts of the California's Community College System as a whole.

At the district and college levels, classified senates increase opportunities for more classified participation. Increased participation by classified staff in governance continues to develop and grow as a unique and valuable asset, as each district strives to plan and meet the challenges involved in providing its students with a total quality educational experience, an experience that meets their individual needs. Classified staff support the educational efforts and goals of our students.

Senates promote the unique abilities, perspectives and leadership capabilities of the community college classified staff. Classified senates continue to contribute as a positive force for effective change, by adding our energies, dedication and efforts in concert with those other community college groups all

ready involved. Senates have a common interest in a healthy, effective and responsive community college system. They have successfully demonstrated strong support for the educational goals and mission of the community college system, and what its success means for our society. They encourage all groups, actively involved in the community college system, to work together in order to meet the changing needs of our students and provide them with quality services. Senates serve as a new, vital, and professional link between students, faculty, managers, administrators, trustees, Chancellor's office, community members, and other educational groups.

Classified Staff - A Major Contributor to Quality, Higher Education

As reported to the Board of Governors, September 13th, 1999 in "California Community Colleges 2000-2001 System Budget Proposals", the total workforce, as of Fall 1999, included 22,228 classified staff across the state (all classified groups) or over 52% of all the permanently employed staff (classified, faculty, managers and administrators).

Working together, we have the numbers to continue to improve the system. It has been often said that the first offer of help, encouragement and support that a "prospective student" will receive as they come on to campus will most likely come from a classified staff member. It is also true that the last assistance that our students receive as they successfully move on in life after their community college education will be from a classified staff member. In between those two important events in the student's life and not to be forgotten, classified staff support, tutor, guide, facilitate, and assist the students in countless ways. Along side our colleagues (teachers, managers, administrators, trustees, etc.), the classified staff of the modern "whole college" are instrumental to creating the successful learning environment and are, indeed, a major contributor to quality education.

WHY ... am I participating?

Have you and your colleagues ever discussed why are you participating on the senate or governance committees? Here are some possible questions to increase communication and share perspectives in hopes of building a strong team who can work well together. Knowing why you are participating can be an important step to success and effective group work and interactions.

1. What are my professional and personal reasons for participation?

2. What are my expectations or outcomes from participation?
 - for myself...
 - for others...
 - for the process...
 - for the outcome...

3. Have you shared who you are and why you are participating?

4. How does my position (job) or personal interests relate to the group's purpose?

5. How do I relate with the other members?

6. How do I contribute to the group's diversity of perspectives and expertise?

7. Am I willing to work, participate, research, and take a risk for the agreed upon goals of the group?

8. Do I serve to communicate (represent) the views of a specific group, if so do I clearly understand the interests of those I represent?

9. Do I serve as an independent with the freedom to work for the common good of all concerned?

10. Do I take the extra time to listen and share (communicate) with others not in the group, the progress and issues being discussed (as appropriate)?

Becoming a Member Senate **of the California Community Colleges Classified Senate**

The California Community Colleges Classified Senate (4CS) is a volunteer non-profit organization of independent California Community College's classified staff participatory (shared) governance bodies, commonly called classified senates, councils, forums, etc. (See 4CS Bylaws for formal membership information.)

The classified staff employed at each of the community colleges or district offices can form governance bodies (commonly called senates) to represent them at their respective institutions. If requested, 4CS is available to assist classified staff interested in forming a senate at their college or district with information and statewide contacts. Once all the classified staff at your college or district designates the "senate" to represent them in governance issues (not collective bargaining issues), the new senate can become a member of 4CS by simply sending us a copy of its constitution and/or bylaws and a letter requesting 4CS membership. Letter is to verify that the classified staff have chosen the "senate" to represent their governance interests at the local level. The constitution/bylaws should state that the senate's purpose includes governance representation. As the senate makes revisions to its constitution or bylaws, update copies should be sent to 4CS after the revisions are ratified. 4CS maintains a list of senates which have become "General Members".

As a "General Member" of 4CS, your senate can send delegates empowered to vote to all 4CS General Sessions and other activities as appropriate. Many new senates have found support in their forming process by working with 4CS, their local classified union(s) and/or neighboring senates at nearby colleges. Delineation of function statements which describes the specific areas of expertise and influence for both the senate and union helps each classified group work together to represent the classified staff effectively.

Excerpts from the 4CS Articles of Incorporation:

"This corporation is a nonprofit public benefit corporation and is not organized for the private gain of any person. It is organized under the Nonprofit Public Benefit Corporation Law for public purposes..."

The specific purpose of this corporation shall be to represent the Classified Staff of the California Community College System for participation in governance and to support the mission of the California Community College System. The corporation is organized exclusively for charitable, educational, religious or scientific purposes within the meaning of Section 501(c)(3) of the Internal Revenue Code."

CLASSIFIED SENATE INFORMATION



Classified Senate Web Sites

California Community Colleges

While you are “surfing the net,” or wondering what the other community college classified senates and councils are doing, look for other community college classified senate web sites. 4CS attempts to maintain a list of the California Community Colleges that have classified senate internet web sites. Visit the 4CS's web site for the most up to date list and links to those classified senates with web sites. If you know of additional Classified Senate web sites, please let us know so we can update our list. Many other senates are currently in the process of creating a site, and we would like to know when your site is ready or its web address has been changed.

California Community Colleges Classified Senate (4CS)

<http://www.ccccs.org>

The A to Z of Conducting a Meeting

Agenda

Be prepared

Consent when possible

Dilatory tactics are not allowed

Effectively use time

Facilitate discussion

Get officer and committee reports in advance

Humility is a good thing

Ignore criticism and be impartial

Just smile when all else fails

Know basic parliamentary procedures, but don't be debilitated by them

Learn from everyone

Majority rules, but the minority should be heard

Never criticize

Organization is critical

Perception is key. If it seems like something doesn't appear "right" then it might not be.

Questions are your friend.

Relax and remember to breathe.

See everything. Watch body language and everything that happens during a meeting.

Trust the everyone has good intentions, but have a backup plan just in case.

Unify using consensus. See if you can get everyone to be in agreement

Victory is achieved every meeting because it began and it ended.

Write it down. Many times we get disorganized because we don't write it down immediately.

e **X**ceptions can be made

Your doing the best you can

Zeal: Don't forget to enjoy the meeting. You are doing a GREAT job!

Running a Meeting: Parliamentary Procedures (Robert's Rules)

There are many sources of information for this well established procedure for conducting a meeting. Here are some of the good books you might want to have for reference or as a source of information:

1. Robert's Rules of Order, 9th edition
2. Robert's Rules in Plain English, by Doris P. Zimmerman
3. Webster's New World Robert's Rules of Order Simplified and Applied

Web site source for parliamentary answers: <http://www.robertsrules.com/>

This is one of the best to get answers on parliamentary procedure. There is a message board where questions are posted on every aspect of Robert's Rules and a person will answer you.

The following information was based on or drawn from Robert's Rules of Order (9th edition).

Ten Basic Rules of Parliamentary Procedure

- The rights of the organization supersede the rights of the individual members

The organization has the right to make its rules and which must be observed by all members. When conflicts arise between a members' rights and the organizations' rights, the organization always prevails.

Example: a member is speaking to motion and another members interrupts the meeting making inappropriate comments and objections. The chair states the member is out of order and the member states it is his right to speak. The chair would state the organization has the right to conduct business in an orderly manner which supersedes the members' rights. The chair further states that the member can be asked to leave so as not to interfere with that right.

- All members are equal and their rights are equal

Those rights are:

To attend meetings

To make motions and speak in debate

To nominate

To vote

To hold office

- A quorum must be present to do business

A quorum is the number of members who must be present to legally conduct business. The number is usually stated in the bylaws. In a small committee or organization this is usually a majority of its members. The purpose of a quorum is to prevent an unrepresentative group from taking action in the name of the organization.

Example: The hour is late and the discussion is whether to spend a large sum of money on a event. During the discussion, it is clear that a few members are very vocal and do not want the expenditure to be approved. Many members have left during the discussion and the members against the motion call for the vote knowing that it will fail. Before the vote can be taken the

chair determines there is no longer a quorum present. The motion will have to be put on the next agenda.

- The majority rules

The minority has the right to be heard but once the decision is reached by the majority of those present and voting, all must respect and abide by it. After all the minority will win another day.

Example: If a motion was made to postpone a motion until the next meeting and a member objects stating that they must vote on it now since they will be out of town next meeting, the chair would state that is out of order since the majority has already voted to postpone.

- Silence is consent

Members who do not vote are agreeing to go along with the majority decision by their silence.

Example: A committee of seven meet to discuss an issue and vote. Only 5 attend. A majority is present. A motion is made. Two vote in favor, two vote against. One abstains. The motion passes. The abstaining vote does not count.

- Two thirds vote rule

Whenever you are taking away or limiting members rights, or whenever you are changing something two thirds of those present must be in favor of adoption.

Example: A heated debate on a motion is going on. A member calls for the question (vote). Since this immediately stops debate, a two thirds vote is needed.

- One question at a time and one speaker at a time

No motion is in order which does not directly relate to the main motion on the floor.

Additionally, once a member has been recognized another member may not interrupt him.

Example: If a motion is on the floor to construct a building. It is out of order to amend the motion to add that a garden be placed in front of the entrance. The motion is to whether to construct a building. The amendment will need to be stated as a new motion after this question is decided.

- Debatable motions must receive full debate

A chair may not end debate as long as there are members who wish to speak to it. Debate can only be ended by a two thirds vote or if everyone is finished.

Example: The chair wishes the organization to hold a fundraiser for low income children of a campus club. Once the motion has been made and seconded the chair asks for a vote. This is incorrect. A member can rise and make a point of order that the motion must receive debate. The chair can however ask if there is debate. If no one wishes to speak to it, the chair can take the vote.

- Once a question is decided it is not in order to bring up the same motion or one essentially like it at the same meeting

Once the motion has been dealt with a motion to the opposite or one similar to the one already take care of is out of order. The exception would be in the case reconsidering a motion. This has special rules.

Example: A motion has been made and approved that the selection of a DJ for an upcoming Fundraiser be referred to the committee. A member makes a motion at new business that a certain DJ be used for the event. It is out of order since this has been referred to committee.

- Personal remarks in debate are always out of order

The chair must rule all person remarks out of order. Debate is on principles not personalities.

Example: During debate a member begins making remarks about another member's character stating they are loud and obnoxious and shouldn't be a senator anyway. The chair is quick to interrupt the member and remind them that this is inappropriate.

Running a Meeting: Using The Consensus Model to Conduct a Meeting

Although Robert's Rules (Parliamentary Procedures) and variations of the procedure is the most often used, there are other ways of conducting a meeting. The Consensus Model (or variations of it) is another. There are advantages of both and situations when one will work better than the other. For instance Parliamentary Procedures are probably faster and can work very well with people who have not worked with each other for long. Consensus may often lead to better solutions or solutions that more of the individuals involved will support. Consensus can build trust and respect between members that will need to work together for a long time. Many groups and businesses currently are using consensus today. Please remember that in the following introduction, this is only one model of many variations used. Each group sets meeting parameters and rules as part of the process.

In the use of consensus as a meeting protocol, there is an assumed level of equality and acceptance of each other between the members of the group in the meeting.

It is critical that everyone participating agrees and adheres to a set of groundrules. Usually the groundrules number about 15-18, much less than Robert's Rules. They are often easier to understand, and may include penalties for those who break them. The groundrules provide the necessary structure and meeting protocols for the consensus model. Groundrules can be and are modified to fit the situation and needs of the group.

With the Consensus Model, the solutions or consensus statements (approved/carried motions in Robert's) are only approved and agreed to when all (100%) of the participating or "voting" members approve. It is not majority rule and minority losses. As a result, the process may take more time, but the group can reach 100% satisfaction with the final outcome or decisions. This most often results in faster acceptance by all and soother implementation of the decisions or recommendations. Groundrules will prevent the group from being held "hostage" by one who will seem to never agree and provides a mechanism for changing his or her "position". If defined in the groundrules, the group can agree that consensus is reached at less than 100% (usually 80%).

By its process of (1) identifying and understanding the issue; (2) discussing all of the surrounding interests (not positions) of those involved (stakeholders); (3) understanding the limits within which the final decision must function; (4) brainstorming the options for resolving the issues; (5) comparing and evaluating the options against the interests surrounding the issue; (6) reaching for a commitment and consensus agreement, and (7) deciding on its method of implementation (who, what, when), the consensus model becomes issue driven and effectively leads the group with a unity of purpose. It is critical that the group adheres to this process and does not deviate. A strong, experienced facilitator(s) is needed that can assist the group by keeping them within the process and groundrules, yet remain independent and respected for her or his role and responsibilities.

It is a popular technique when difficult and complex issues need to be resolved with a high degree of satisfaction among the many involved. The group can build together very elegant and unique solutions to issues that no one special interests group or individual would conceive of on their own. Solutions related directly to the quality of information sharing that has occurred during the discussions and the motivation and willingness of the participants to work together for the best solution for all. Participants work to meet and advocate for each other's interests as well as their own. The model results in increasing the overall understanding of each others perspectives and perceptions, a

potentially lasting and high level of cooperation and trustworthiness and a lasting commitment to advocate and accomplish the resulting decision(s) and recommendation(s). Building positive relationships become as important to the final outcome as does the product of the discussions.

One almost last thought: “To me, consensus seems to be the process of abandoning all beliefs, principles, values and policies. So it is something in which no one believes and to which no one objects.” --Margaret Thatcher (b. 1925), British Conservative politician, Prime Minister.

One More Last Thought: “Recognition of the real value of consensus as a meeting protocol is tied to an institutional recognition of the benefits of equality, empowerment, self-esteem and self-respect, and an overall acceptance at the individual levels within the institution that building the best solutions for all, takes time.” - jw

Reassess your assumptions

Consider different perspectives

Challenge old paradigms

Work for mutual gain

Accept the perceptions of others as valid

Share ideas - contribute as a team

Focus on the problem or issue - only

Spend more time with the generation of ideas than with evaluation

Go beyond being an information resource or a delegate

What did not work before in the past, may work now or in the future – Be positive

Ask questions

Gently encourage participation of each other

Succeed at active communication and listening

Work together as equals

Reduce egocentric thinking - go beyond yourself

Let go, laugh, relax, be creative and contribute a few “silly” ideas

Risk

Think beyond yourself consciousness

Help each other

**“The challenge
and fun of life**

**is to successfully
interact
with the complex variety
of perspectives and perceptions
of others.”**

An “Effective” Committee

- Promotes group efforts toward a common task or goal
- Concerned with time but not preoccupied with it to the point in letting it dictate the quality of the decision
- Activities result in a practical, functional and effective decision, recommendation or action
- Builds positive relationships as well as solutions
- Open communication without fear of reprisal
- Cohesiveness
- Maintain professional reputation
- Maintain a positive communication climate (warm and supportive)
- All ideas and other related issues are preserved
- Acceptance has been built-in the process so the results of the work will be approved and understood
- Acceptance results in a sense of being finished (accomplishment)
- The committee has come to agreement with who will implement the decision, when will it occur, and what exactly is to be implemented.
- It has met your expectations

WHAT OTHER CHARACTERISTICS WOULD YOU ADD TO THE LIST ?

How Can YOU
Promote “Effective” Committee Work

- Do you have the time to really participate or are you already over committed in your desire to help
- Is the work of this committee in line with your personal priorities or are you joining only to advocate for a personal and singular “hidden agenda”
- Do you understand your committee’s overall purpose: is it to make decisions, to make recommendations, to disseminate information, or to promote social interaction
- Do you and your colleagues mutually understand the committee’s specific goals and objectives and timelines and restrictions (if any)
- Do you take the time to establish and understand any ground rules or process protocols for your work – have you all agreed to them, including any added members to the committee
- Do you take the time to learn about each other before you start – interest, personalities, working priorities, perspectives, and other personal parameters that might effect your interactions with others
- Are you really willing to work and be a full participant, do you prepare ahead of time and are you willing to accomplish accepted assignments by agreed to deadlines during the meeting process (quality in = quality out)
- Are you open to new ideas, old ideas and the ideas of others in the group, or are you only interested in expressing your own ideas and maintaining “control” over the outcomes and results
- Can you accept a mutually beneficial solution even if its not the one that you might have envisioned when you started to work with the others present
- Is your commitment to participate strong enough to allow the group to continue and make decisions in your absence and, later, accept and abide by those decisions
- Do you assist members, during the meeting, in staying focused on the issue and the many interests surrounding it
- Can you contribute ideas with little evaluation, thereby, allowing ideas to promote ideas as you work for new and creative solutions
- Are you consulting with those that will be potentially effected by the outcome(s) – have you listened and shared with others not in the meeting, as appropriate
- Do you work on being trustworthy yourself

- Can you assist with recording and confirming spoken ideas, actions and processes as needed
- Are you watching for the need to clarify and define terminology as you go along, to promote a group understanding and avoid misunderstandings and self-serving re-interpretation of past events
- Are you maintaining communication links with your constituents, as appropriate
- Do you encourage and provide opportunities for the other members of the committee to be involved in the process as much as you are
- Are you aware of legal requirements and laws that are relative to the topic or issues under discussion
- Do you know your limitations
- Are you positive about your involvement and efforts - attitude
- Do you listen
- Are you comfortable as both a leader or as member in the group
- Do you maintain civility

Participatory (Shared) Governance - The Law*

70901. (a) The Board of Governors of the California Community Colleges shall provide leadership and direction in the continuing development of the California Community Colleges as an integral and effective element in the structure of public higher education in the state. The work of the board of governors shall at all times be directed to maintaining and continuing, to the maximum degree permissible, local authority and control in the administration of the California Community Colleges.

(b) Subject to, and in furtherance of, subdivision (a), and in consultation with community college districts and other interested parties as specified in subdivision (e), the board of governors shall provide general supervision over community college districts, and shall, in furtherance thereof, perform the following functions:

(1) Establish minimum standards as required by law, including, but not limited to, the following:

(E) Minimum standards governing procedures established by governing boards of community college districts to ensure faculty, staff, and students the right to participate effectively in district and college governance, and the opportunity to express their opinions at the campus level and to ensure that these opinions are given every reasonable consideration, and the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards.

70902. (a) Every community college district shall be under the control of a board of trustees, which is referred to herein as the "governing board." The governing board of each community college district shall establish, maintain, operate, and govern one or more community colleges in accordance with law. In so doing, the governing board may initiate and carry on any program, activity, or may otherwise act in any manner that is not in conflict with or inconsistent with, or preempted by, any law and that is not in conflict with the purposes for which community college districts are established.

The governing board of each community college district shall establish rules and regulations not inconsistent with the regulations of the board of governors and the laws of this state for the government and operation of one or more community colleges in the district.

(b) In furtherance of the provisions of subdivision (a), the governing board of each community college district shall do all of the following:

(7) Establish procedures not inconsistent with minimum standards established by the board of governors to ensure faculty, staff, and students the opportunity to express their opinions at the campus level and to ensure that these opinions are given every reasonable consideration, and the right to participate effectively in district and college governance, and the right of academic senates to assume primary responsibility for making recommendations in the areas of curriculum and academic standards.

*extracted from: California Education Code Sections 70900-70902;
<http://www.leginfo.ca.gov/cgi-bin/displaycode?section=edc&group=70001-71000&file=70900-70902>

On “Shared Governance”*

“The concept of shared governance can be envisioned as a continuum, including a range of approaches from consultation to delegation – depending on the issue and local history.”

“Shared governance is not a simple process to implement – goodwill, thoughtful people, a willingness to take risks and the ability to admit problems exist – can go far toward establishing a positive environment...”

“The central objective should be creation of a climate where energy is devoted to solving crucial educational tasks and not to turf battles over governance.”

*Excerpts from: CCCT / CEOCCC Policy Paper, December, 1989

Revisions to Existing Title 5 Regulations

Chapter 1. Minimum Standards

1. Section 51023.5 is added to Chapter 1 of Division 2 of Part VI of the California Code of Regulations, to read:

51023.5. Staff.

(a) The governing board of a community college district shall adopt policies and procedures that provide district and college staff the opportunity to participate effectively in district and college governance. At minimum, these policies and procedures shall include the following:

(1) Definitions or categories of positions or groups of positions other than faculty that compose the staff of the district and its college(s) that, for the purposes of this section, the governing board is required by law to recognize or chooses to recognize pursuant to legal authority. All districts shall, at minimum, include in such definitions or categories the non-management classified employees of the district.

(2) Participation structures and procedures for the staff positions defined or categorized.

(3) In performing the requirements of subsections (1) and (2) of this section, the governing board or its designees shall consult with the representatives of existing staff councils, committees, employee organizations, and other such bodies. Where no groups or structures for participation exist that provide representation for the purposes of this section for particular groups of staff, the governing board or its designees, shall broadly inform all staff of the policies and procedures being developed, invite the participation of staff, and provide opportunities for staff to express their views.

(4) Staff shall be provided with opportunities to participate in the formulation and development of district and college policies and procedures, and in those processes for jointly developing recommendations for action by the governing board, that the governing board reasonably determines, in consultation with staff, have or will have a significant effect on staff.

(5) Except in unforeseeable, emergency situations, the governing board shall not take action on matters significantly affecting staff until it has provided staff an opportunity to participate in the formulation and development of those matters through appropriate structures and procedures as determined by the governing board in accordance with the provisions of this section.

(6) The policies and procedures of the governing board shall ensure that the recommendations and opinions of staff are given every reasonable consideration.

(7) The selection of staff representatives to serve on college and district task forces, committees, or other governance groups shall, when required by law, be made by these councils, committees, employee organizations, or other staff groups that the governing board has officially recognized in its policies and procedures for staff participation. In all other instances, the selection shall either be made

by, or in consultation with, such staff groups. In all cases, representatives shall be selected from the category of staff that they represent.

(b) In developing and carrying out policies and procedures pursuant to subsection (a), the district governing board shall ensure that its actions do not dominate or interfere with the formation or administration of any employee organization, or contribute financial or other support to it, or in any way encourage employees to join any organization in preference to another. In addition, in order to comply with Government Code Sections 3540 et. seq., such procedures for staff participation shall not intrude on matters within the scope of representation under Section 3543.2 of the Government Code. In addition, governing boards shall not interfere with the exercise of employee rights to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations. Nothing in this section shall be construed to impinge upon or detract from any negotiations or negotiated agreements between exclusive representatives and district governing boards. It is the intent of the Board of Governors to respect lawful agreements between staff and exclusive representatives as to how they will consult, collaborate, share or delegate among themselves the responsibilities that are or may be delegated to staff pursuant to these regulations.

(c) Nothing in this subchapter shall be construed to impinge upon the policies and procedures governing the participation rights of faculty and students pursuant to Sections 53200-53205, and Sections 51023.7, respectively, of this chapter.

(d) The governing board of a community college district shall comply substantially with the provisions of this section.

NOTE: Authority cited: Sections 70901(b)(1)(E) and 70902 (b)(7) of the Education Code. Reference: Sections 70901 and 70902 of the Education Code.

What Works Well

Classified Senates Are Sharing Ideas Between California's Community Colleges

In addition to the brief sample of ideas listed here, 4CS maintains a growing library of classified senate documents, newsletters and handouts that report on original ideas, staff activities, good practices, and successful projects that have worked well for classified senates and their colleges and staff. Contact the 4CS "Library" and request information on senate and governance topics of interest to you. If we do not have what you want, we will try and find it with our contacts throughout the state. Please share additional successful ideas with 4CS which have worked well at your college. Even if not applicable directly to another college's situation, the ideas may serve as a beginning place for new solutions that will help others with related needs and problems.

- Sharing Information I have had greater success with participation and support because of my dissemination of information to the staff. I share all of my information with them via e-mail as it is really their information. I believe this empowers and informs them enough to feel confident about their place and importance in education. It is imperative that we are recognized as the backbone of the Community College System in California!
- Crafton Hills College
- Professional Network JobLinksII sponsored by the Classified Senate, is an all day opportunity for classified with similar job responsibilities to gather and build a professional network which will allow them to share their expertise during the day and afterwards. They share experiences, solutions to problems, special techniques, and new trends within their professional fields. Classified working together for our students.
- Contra Costa CCD
- Full Representation Make sure your membership is reflective of the staff it is to represent and comprised on equality of total numbers from each area per employment figures. Areas could be reflective of major employee classifications such as Clerical/Secretarial, Skilled/Trades, Service/Maintenance and Technical/Paraprofessional and any major off campus sites with quantitative staffing.
- Pasadena City College
- Graduation Support The classified staff hosted the graduation reception. The college paid the expenses, but we set up, cleaned up and served.
- College of the Redwoods

Appointments One of the Senates time-consuming tasks is to responsibly make classified appointments to governance committees, hiring committees and taskforces. Often appointments need to be made in a very timely manner, yet as an important responsibility, it must be done carefully. Within selection guidelines established by the Senate, appointments are mostly made by our appointment subcommittee, who identifies qualified classified that are available to serve.
-- Sierra College

Support Education We have a classified employee scholarship called the Joan McClain Scholarship. The Senate gives scholarships to classified staff members, up to \$250, to continue their education. Joan McClain was the founding classified staff member of senate and its first President. The purpose of the scholarship is to encourage and support the many classified staff who are working full time and trying to continue their education. We value education.
-- City College of San Francisco

Senate Elections Elections are held for the senate positions as Cluster Representatives. There are ten clusters of classified staff and anyone within that cluster can run for office. On the occasion when no one runs from within a cluster, the position can be filled as an open at large position which helps maintain involvement.
-- Diablo Valley College

Active Participation We take seriously our opportunity to be a reflective and representative voice in the shared governance process which ensues the goal of student success. We can be a voice for all classified, especially where there is no other process for that participation. As a result for our classified, we take the opportunity to enhance the communication process both locally and statewide through involvement in staff development activities and the statewide senate, 4CS. We believe that active participation which promotes productive growth for individuals and institutions alike is the key to success.
-- Pasadena City College

Web site for Senate We have our Constitution and Bylaws on our web site. These documents spell out what Senate does and what it is responsible for. We will be posting meeting minutes to our web site as soon as our web master gets caught up. Posting this information on a monthly basis keeps all employees informed and updated. All senate meetings are advertised and open to all staff who wish to attend.
-- Mt. San Antonio College

Smooth Transition Reedley College conducts an annual Classified Senate Workshop for senators and officers. It is held each year in May following our elections for the upcoming year. This activity allows the senate a day away from the demands of the campus to focus on senate activity. We conduct an evaluation of our previous year and decide on goals and activities for the upcoming year.
-- Reedley College

Sponsoring Speakers The Classified Senate sponsors two major events each year-- one is a flex activity which features a luncheon and guest speaker. This year's guest

speaker is Patricia Siever, VP of Board of Governors, who will address shared governance and classified responsibilities for participating in it. Each spring the Classified Senate sponsors a full day retreat with motivational speakers, breakfast and lunch.

-- San Joaquin Delta College

Work with Others Embrace the concept of shared or participatory governing by forming working relationships with other constituent groups such as the Academic/Faculty Senate and Associated Student Body, not only on committees, but for fund raising activities such as scholarship funds. Work to form teams to attend conferences and related activities to represent the college as a group.
-- Pasadena City College

Making Contributions Mt. San Antonio College has a bi-monthly newsletter that we publish which informs ALL classified staff of current campus issues. We report on College leadership Council, Quality Steering Committee, Professional Development Council, Budget and Planning, and other governance committee activities. We also report what the Classified Senate is doing for the campus. We “chair” the United Way Campaign for the College each year and have increased donations each year to over \$9,000 annually. We have established and award a Professional Development Classified Scholarship for continued education that we award each year to 1-5 staff.
-- Mt. San Antonio College

Survey and Fun We conduct a survey each year to determine staff needs and that helps to establish our directions for that fiscal year. This helps us to stay on track and cover the important issues that impact our classified staff in governance. We also have fun things that we do, for instance, coffee breaks sponsored by Classified Senate. These coffee breaks provide two things: (1) a way to inform staff about issues and get feedback from them, and (2) a chance for staff to network with each other in a fun and relaxing environment! We have always included staff entertainment and Starbucks Coffee and homemade goodies.
-- Mt. San Antonio College

Senate Documents Some of our hints or suggestions for senates are to, first, form an organization with a strong yet flexible Constitution and Bylaws and be prepared to review and readdress these on a regular basis. Maintain a regular meeting schedule and agenda, delegate or assign someone to be a liaison with 4CS and have a standing item on the senate’s agenda for that report. Develop a Handbook with operational information and a Mission, Statement / Goals, a Code of Ethics to abide by when representing the Senate.
-- Pasadena City College

Provide Opportunities On this campus we have held our meetings in a different format: each month our meeting is held at a different location on campus. For one hour the classified members of that department give an introduction to what the function of that department is and demonstrate any programs or equipment they use. These meetings are open to all staff and students. Instructors,

classified and students drop in and out during the hour. We've been serving juice and veggies, which helps to get folks there. After the session is over or before it starts, we conduct any business that needs to be conducted.

-- College of the Redwoods

Classified Handbook We developed a classified employee handbook. This is basically an orientation guide to being a classified employee at the college. New employees hired go through an orientation session conducted by the Classified Senate and are given a handbook. Continuing employees were also all given a resource guide. The plan is currently to revise the resource guide making it a district wide resource. Classified Senates from both FCC and RC are working to update the book and get it posted on our website.

-- Fresno City College

Social Connections Classified Holiday Party: Classified Council organizes an off-campus dinner before the holiday break in December. It is held at one of the area restaurants and donated gifts are raffled off. We have a Santa, singing, silliness abounds--very fun for all. At the end of the year, we jointly sponsor a Classified Picnic. The Classified Council and our classified union pays for the food. Council officers go out and buy it, cook (if needed) serve it up and decorate with a theme of some sort. It's an end of the year event held on campus that is free to union and council members.

-- Glendale Community College

Agenda Priorities Being creative with your agenda to maximize your responsiveness in handling needed action items in a timely manner, yet allowing for adequate discussion and research time. Instead of starting with reports or informational items, start with action items new and old business, sorted by timely priorities. Follow up with information items that members could not read on their own, if prepared.

-- Sierra College

Mentor New Staff We are establishing a new employee mentor program to make sure that all new employees are informed of all services and groups on campus and know how they can get involved in governance and let their voice be heard.

-- Mt. San Antonio College

Great Newsletter We have a great newsletter. We try to incorporate articles attractive to all classified. The newsletter includes union and senate information. We include serious articles on current campus issues and information items on college and community events. Because we have a lot of classified staff (parents) with young children and who work all day, we information on community events that they might be interested in attending. It is mailed to their desk which makes it easy to find and read. We include information on senate activities – communicate that we are working for them. The newsletter also includes Vivas or Congratulations to classified staff and other staff that have done something significant to support classified staff.

-- City College of San Francisco

Heart and Sole The Classified Senate at initiated and coordinates a confidential gift exchange

which benefits the children in our eleven child care centers called “Heart and Sole”. With donations from classified staff and all of our other colleagues across the district, we give each boy or girl needed materials. The gifts are not toys, but educational and necessary gifts such as backpacks, pencil case, and jackets. A classified contact person at each center finds out what is needed for each child (with parent consent and help). We want to contribute to our kids in the community day care center. A team of five or six classified senate members coordinate this program.

-- City College of San Francisco

Working Together

At Sacramento City College, the Classified Senate acts as the unified "voice of classified staff" in governance matters. Its "Shepherds" conduct of the Connections Quality Service training program for our college. Together we conduct several social activity events throughout the year. We also conduct fund raising events for senate scholarships awarded each year. With five unions representing different segments of the classified staff in collective bargaining, it is more effective and feasible for the senate to provide and coordinate these activities for our classified staff.

-- Sacramento City College

Supporting Students

Student Worker Scholarships: Each spring our Classified Council awards two (sometimes three) scholarships to student workers. The students are nominated by their classified supervisors with a letter of recommendation and a supporting letter from the student. There are GPA and unit requirements. Recipients are selected by a committee.

-- Glendale Community College

Sharing Involvement

The Classified Senate at SJDC is committed to supporting student success. We work with them on committees and have sponsored student scholarships. Senate is very active in the shared governance process. We work together with the exclusive bargaining unit to select representatives on committees. On committees which directly effect wages and working conditions, the union makes the appointment. BOTH groups make committee reports to our fellow classified members so that all are kept up to date on governance issues at the college.

-- San Joaquin Delta College

Classified Day

The Classified Council organizes open, monthly meetings with speakers from on or off campus. The meetings are open to faculty, staff and students and attendees can earn Classified Professional Growth Units or FLEX credits. Many of the meetings are about areas of our own campus that newer employees may not know much about. Classified Institute Day: this event is put together jointly by our union, council and staff development. The first part of the day includes a continental-style breakfast. The Classified Council President is emcee with a line-up of speakers from administrators to faculty representatives. They are followed by a guest speaker (motivational, comics, authors--we've had a variety). The second half of the event is usually union-related business and speakers.

-- Glendale Community College

Tying Together

I think what we do really well is represent many different aspects of the campus. Our strength comes from the fact that we are represented on many committees eg...Cabinet, PBC, SPIT, Staff Dev.

-- MiraCosta College

Classified Leadership Institute



CLASSIFIED LEADERSHIP INSTITUTE Granlibakken Conference Center, Tahoe City, California

*Sponsored by the
Community College League of California (CCLC)
California Community Colleges Classified Senate (4CS)*

THE INSTITUTE

This conference focuses on the positive aspects of classified involvement in the participatory (shared) governance process both statewide and at the local districts and colleges.

Participants will explore topics that develop the skills, confidence and encouragement to be stronger leaders on their campuses. Activities will include both interactive and informational sessions with ample time for networking and practicing leadership skills in a supportive environment.

THE PURPOSES

- Recognize and celebrate the classified role in educating and serving community college students
- Exchange ideas and information with colleagues, further developing a network of positive communication among classified leaders
- Discover and develop your personal leadership skills
- Encourage and support active participation from every attendee
- Broaden your understanding of system-wide processes and your role in the community college system

THE SITE

The Granlibakken Conference Center is a rustic resort located in Tahoe City, California near the North Shore of Lake Tahoe. Participants live in rustic, but comfortable quarters on the beautiful 74 acre forested grounds. For more information on Granlibakken, its location, and the surrounding area, visit their website at www.Granlibakken.com

ADDITIONAL INFORMATION

For more information visit <http://www.ccccs.org>.

REGISTRATION INFORMATION

To ensure a quality experience, enrollment is limited to 185 classified staff currently employed at California's community colleges. Reservations are accepted on a first-come, first-served basis. Contact The League or 4CS for current information and to be placed on next year's mailing list.

The Classified Leadership Institute has been held for over 9 years with over 1800 classified staff participating from all over the state.

Additional Community College Conferences

A variety of system related conferences and events are held annually in various locations throughout the state. There are many other events that are not listed here. Contact your staff development office for information on current conferences and events for community college staff.

Annual Convention – Community College League of California

The Annual Convention is designed for all administrators, faculty, classified staff, students, and trustees. It is an opportunity for all of us to come together to talk, listen and learn from each other, and to create futures that will achieve all of our dreams. Convention presentations on innovations and outstanding practices that address what can be or is being done to create better futures for all Californians and what is needed to improve or enhance our programs and services. The convention attracts a significant number of trustees, CEOs, administrators, faculty, classified staff and student leaders; therefore there are a wide variety of groups and perspectives at the convention. The Convention is held in November of each year.

Annual Legislative Conference – Community College League of California

The Legislative Conference is held in February of each year and focuses on the legislative processes surrounding the community college system. Participants come from all groups associated with the community colleges. Presentations include information on current legislation, the legislative process, community college legislative issues, trends in government, protocols when working with legislation and legislators and perspectives on the community college system by key governmental officials and others involved in the community college system.

4CSD Annual Conference - California Community College Council for Staff Development

The 4CSD Annual Conference is open to all community college members who are interested in staff development programs. Most of the participants are staff (classified, faculty, managers) who are directly involved in staff development activities in their respective colleges and districts, such as the staff development coordinators or co-coordinators and staff development committee members. The conference provides a fun and professional mechanism for everyone to share ideas and to coordinate staff development activities and directions throughout the state and to continue to discuss and advocate for the need to educationally invest in our community college staff, all staff.

Communications – Classified List Server

Community College Listserver for Classified Staff

Thank you, Scott Roberts at Butte College (BCTV) for setting up our listserv for classified. This CCCCS-CLASSIFIED discussion group is provided as a service to the Educational Community by the Media & Distance Learning Department located at Butte College.

CCCS Listserv

The CCCCS Listserv is useful computer program that enables you to communicate directly with others who share a common interest. You can now send one email to the CCCCS-listserv and it will duplicate and distribute it to other classified staff across the state. You can ask questions, seek data, answer questions and share information with other classified and classified senates (if they too have subscribed). All you have to do is to subscribe and then send an email when you are ready. It's a free service. When you send an email message to the listserv, it automatically sends it out to everyone and anyone who has previously subscribed.

Important Notice and Cautions

There are some important understandings about listservers that you need to consider. First, you will need to join by sending a message to subscribe (how to details listed below). Please note, anyone can sign on to the listserv. Although we are specifically inviting primarily classified to sign-up, the listserv is not regulated and anyone can actually subscribe if they are interested in doing so. Remember this when you send an email. Your email will go to all subscribers regardless of who they are and, therefore, please act responsibly. The content of your email will not be edited or regulated or pre-approved in any way. If you are responding to an email from someone else, perhaps a request for information, it is not necessary to send your response back to the listserv. You can email your response directly to the person who originally requested the information. If for some reason you feel that everyone subscribed to the listserv would like to read your response, you can send it back to the listserv and it will distribute it to all who have subscribed.

Purpose and Value

It is our intent to use this listserv for classified senate and governance related issues, facilitating classified communication across the state. For direct communications from 4CS, we will continue to use the 4CS email distribution list and by paper mail to your senate. In creating this classified listserv, we are providing you, as a community college classified, a direct method to reach the many other classified staff across the state. Many of the 4CS Executive Board have already signed up and are eager to participate with you. Sharing information and making new contacts is a valuable resource for all. How valuable the classified listserv becomes is up to you. The more folks that sign up and use the service, the more valuable it becomes. So, let's get connected.

Please help spread the word!

The California Classified Staff has a statewide listserv for our use. Please encourage the classified staff at your college to sign-up and use it to ask questions, request information and share information with your other colleagues across the state. Remember that the more staff members that sign-on and share information via this free email-based communication system, the more valuable it will become for all of our colleges and us.

Here's How:

TO SUBSCRIBE to the classified, CCCC listserver:
(A necessary step to send and receive email messages from others)

First, send a BLANK email to: **majordomo@list.bctv.net**

Include in the body of the text (instead of a message), only the phrase: **subscribe cccs-classified**

Please use NO SUBJECT OR SIGNATURES in your email! A confirmation note will be sent back to you immediately. Problems? First check to see if you followed these directions precisely. If you have, send a message to: Majordomo-Owner@list.bctv.net requesting assistance.

TO SEND A MESSAGE via the classified, CCCC listserver:
(When you are ready to send an actual message to all that have subscribed)

Address the message you want duplicated and distributed, to: **cccs-classified@list.bctv.net**

If you want to try it out and need something to say, send a short message introducing yourself, including what college you work at and a brief statement of your job responsibilities and governance experience. Remember; do not include any personal information you would rather not share with the world!

TO UNSUBSCRIBE to the classified, CCCC listserver:

For any reason or at any time, you may unsubscribe from this listserver by sending a BLANK email to: **majordomo@list.bctv.net**

and including the line: **unsubscribe cccs-classified** in the message body.
NO SUBJECT OR SIGNATURES, PLEASE! You will receive immediate confirmation by return email.

Professional Organizational Rights & SB 235 - RESOURCE PACKET

February 2002

Contents

Introduction

The Interpretation of Laws

A Matter of Opinion vs. Interpretation

Classified Senate and Union Organizations: The Right to Exist

Legal Opinion of State Chancellor's Office Regarding Minimum1

Standards for Staff Participation in Governance

Positive Action and Direction by Visionary Leaders

SB 235 Interpretation

Conclusion

References

Introduction

California community college classified staff are an integral segment of the community college system. These forces are the first and last line of operations of a community college, the mechanism that keep our community colleges working smoothly for students, faculty, staff and the community. With years of combined experience and training, the experience of classified staff can only be utilized properly by active input in the participatory governance process. Without avenues for participation, education, and input in college governance, holes will appear in the fabric that holds our organizations together. Without the participation and input of those in the rank and file, experience and progress is lost.

For more than ten years as many as 80 California community college classified staff groups have experimented with classified senates -- professional participatory groups representing classified staff in organizational governance. Classified senates have supported the separation of governance and collective bargaining. Many classified unions have insisted that such participatory groups are not legal representative organizations and interfere with collective bargaining. This battle of philosophies has resulted in the passage of a bill introduced by a statewide classified union that set back the progress classified senates have made in participatory governance. Why was this bill introduced? The answers are numerous and riddled with disagreement and confusion. To protect classified staff? To protect

classified unions? To damage classified senates? To expand the role of collective bargaining? To grant the decision-making role for classified staff to the few? Why? We will explore these answers and the difficulties of implementing a confusing bill.

This resource packet has been developed to provide information and materials pertinent to the discussion – do classified senates have the right to exist and represent classified employees in governance?

And now a new question has emerged: With the passage of SB 235, do unions have the right to force community college classified staff to expand the role of the exclusive representation to include organizational governance? These issues are addressed here.

The Interpretation of Laws

We, as Americans, are governed by laws and are expected to be aware of those laws and how they affect us. Ignorance is not a defense and we are bound to follow the laws set before us. Organizations that represent us are also bound by the same laws and expected to know the content of those laws and represent us accordingly.

The number of laws in the United States makes it almost impossible for each individual to maintain knowledge of all laws affecting us individually, much less those laws pertaining to our state and country. We do, however, expect the organizations that represent us to be informed of laws that govern their scope of representation and responsibility.

Classified staff in California community colleges may have a number of organizations that represent them, personal, professional, institutional, and for labor representation. These organizations are not expected to understand the laws governing the actions of other organizations, but are expected to be knowledgeable of those laws governing *their* actions and affairs and those affecting the people *they* represent. Such organizations are not expected to use the laws that apply to the organization or members *against* the members that they represent, but apply the laws that represent the *best interest* of their members.

Conflict has arisen in the past decade regarding the rights of classified professional organizations to exist and participate in community college governance. It is essential to review California Code, the Employer-Employee Relations Act (EERA), the Public Employee Relations Board (PERB) documentation, case law, and summaries to establish the rights of classified staff on this issue. It is also of interest to note that National labor law and case law is consistent in its support of organizational employee participation organizations on issues outside of collective bargaining. California code and labor laws are also consistent in their definitions of exclusive representatives, collective bargaining, and the scope of bargaining. This consistency lends support to the conclusion outlined in this packet.

In this case it is not only important to research the law involved, but precedence-setting case law. The National Labor Relations Board, or NLRB, is responsible for setting labor law in the United States. In California, the Public Employees Relations Board, or PERB, is an administrative agency that administers collective bargaining statutes covering employees of California's schools, colleges, and universities as well as employees of the State of California. Case law is used to establish applicable interpretations of the law. Labor law and labor codes must be evaluated carefully and completely. A sentence within a paragraph of code cannot be successfully interpreted without reading the entire code

chapter. Definitions within one chapter may be different in the next. A statement appearing to be clear within a chapter, becomes clearer, and not always along the original interpretation, when applied in case law. Therefore, it is essential to consider all laws, codes, and case law relative to the subject.

Though this information may be familiar to many community college administrative representatives, it is necessary to outline these processes in laymen terms for complete understanding.

A Matter of Opinion vs. Interpretation

In the case of community college classified senates, two opinions have been established. The first is that labor organizations are separate from institutional professional organizations, hence, the separation of governance and collective bargaining.

The second opinion of contention is that all activities of classified staff are within the scope of collective bargaining. Those two opinions will be addressed here.

It is important first to establish the rights of each individual organization to exist, then to establish the role of each, whether those duties are clear or vague, inclusive or non-inclusive.

And once the right of existence has been established, how can employee participation groups and classified unions co-exist within the law (SB 235).

Several items have been included here for reference and research. A bibliography follows citing references.

This packet of material and information is provided to you as a community college leader, to assist you in formulating beneficial decisions regarding classified staff participation on your campus. We will strive to establish here that:

1. Classified senates have the right to exist as classified participatory organizations
2. The role of the “exclusive representative” is explicit to collective bargaining per labor and education code.
3. The scope of bargaining is clear and documented in labor law and Education code.
4. SB 235 does not eliminate classified senates or their important role in the governance process.
5. Inclusion of classified senates in college governance has had a positive impact at institutions.

The references included here are direct quotes and/or indented. Bolding and underlining text has been done to draw attention to pertinent areas. Much of the documentation provided may not seem relevant to the discussion, but it is essential for understanding the issues involved. All cited references and sections are included in the appendix.

Classified Senate and Union Organizations: The Right to Exist

Since the growth of classified senate organizations in community colleges, questions have been raised that both unions and senates cannot legally represent classified staff within the system. Labor and case law and California Code does not support these conclusions. Labor law separates the rights of exclusive union representatives to exclusively **bargain** with the employer in the name of classified staff. Labor law also concludes that staff may communicate with the employer on non-bargaining issues through other employee participation groups. Though law on collective bargaining does state that union responsibilities MAY not be **limited** to items within the scope of bargaining, it does not state that items outside that scope **are** union responsibility. In other words, everything may be negotiated, but may or may **not** be accepted. Employers are required to negotiate with exclusive representatives on items within the scope of bargaining. This, of course, supports that there are issues outside the scope of bargaining.

It is the interpretation of this organization that labor code designates that employees may have a number of organizations represent them in their relations with the district on professional and/or bargaining matters. Once an exclusive representative is elected, however, only that organization can represent those employees on **matters within the scope of representation, or collective bargaining**. Labor and case law supports the rights of participatory organizations to exist for matters outside the scope of representation (See Attachment: complete California Code 3540-)

California Labor Code Section 3540:

“ . recognizing the right of public school employees to join organizations of their own choice, to be represented by the **organizations** in their **professional and employment relationships** with public school employers, to select one employee organization as the **exclusive representative** of the employees in an appropriate unit, . . .”

The same section (3540.1.(e)) further defines “employee organization” and “exclusive representative.”

3540.1

(d) “Employee organization” means any organization which includes employees of a public school employer and which has as one of its primary purposes representing those employees in their relations with that public school employer. “Employee organization” shall also include any person such an organization authorizes to act on its behalf.

(e) “Exclusive representative” means the employee organization recognized or certified as the exclusive **negotiating** representative of certificated or classified employees in an appropriate unit of a public school employer.”

The American Bar Association clarifies that “Representation is *exclusive* to one union. No other union can represent the same employee unit. This is termed “exclusivity” or “exclusive representation.” (U.S. Labor and Employment Laws: Overview, American Bar Association, p. 26)

AB 1725 recognizes the existence of other organizations when directing local boards to recognize governance groups, as well as supports local board rights to include classified senate participation on committees.

California Code of Regulations

Section 51023.5, Chapter 1, Division 2, Part VI

- (a) The governing board of a community college district shall adopt policies and procedures that provide district and college staff the opportunity to participate effectively in district and college governance. At minimum, these policies and procedures shall include the following:
- (1) Definitions or categories of positions or groups of positions other than faculty that compose the staff of the district and its college(s) that, for the purposes of this section, the governing board is required by law to recognize or chooses to recognize pursuant to legal authority. In addition, for the purposes of this section, management and nonmanagement positions or groups of positions shall be separately defined or categorized.
 - (3) In performing the requirements of subsections (1) and (2) of this section, the governing board or its designees shall consult with the representatives of existing staff councils, committees, employee organizations and other such bodies. Where no groups or structures for participation exist that provide representation for the purposes of this section for particular groups of staff, the governing board or its designees, shall broadly inform all staff of the policies and procedures being developed, invite the participation of staff, and provide opportunities for staff to express their views.
 - (7) The selection of staff representatives to serve on college and district task forces, committees, or other governance groups shall, when required by law, be made by those councils, committees, employee organizations or other staff groups that the governing board has officially recognized in its policies and procedures for staff participation. In all other instances, the selection shall either be made by, or in consultation with, such staff groups. In all cases, representatives shall be selected from the category that they represent.

SB 235 designates that the “exclusive representative” will make committee appointments for classified staff on governance committees, unless a memorandum of understanding is developed and agreed to by the exclusive representative and the local board outlining another structure. Section 51023.5(a)(7) above reinforces that local boards must follow the law in this case. SB 235 however, not only provides that with a memorandum of understanding the local classified union chapter members may introduce another structure for classified committee appointments, but provides the additional option that a local board may recognize another classified organization to represent classified in a professional, non-union category, in addition to the union committee appointee that represents classified staff in a union representative category.

Additionally, AB 1725 reminds local Boards to avoid violation of Government section 3540, et seq., not to influence labor organizations, “. . . do not dominate or interfere with the formation or administration of any employee organization, or contribute financial or other support to it, or in any way encourage employees to join any organization in preference to another.” This direct reference,

word for word, is outlined throughout labor code and case law as meeting the criteria of a labor organization. Once a local board is established to have consulted with a classified organization other than the exclusive representative on issues within the scope of collective bargaining, then the organization is a rival labor organization and opens the door to violation of interference and support. In relative cases (*Redwoods* and *Ventura*) in which a senate was eliminated or received a cease and desist order respectively, each case has met the first and primary criteria of negotiating with the administration.

California Code of Regulations

Section 51023.5, Chapter 1, Division 2, Part VI

(b) In developing and carrying out policies and procedures pursuant to sub-section (a), the district governing board shall ensure that its actions do not dominate or interfere with the formation or administration of any employee organization, or contribute financial or other support to it, or in any way encourage employees to join any organization in preference to another. In addition, in order to comply with the Government Code sections 3540, et seq., such procedures for staff participation shall not intrude on matters within the scope of representation under section 3543.2 of the Government Code. In addition, governing boards shall not interfere with the exercise of employee rights to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer- employee relations. Nothing in this section shall be construed to impinge upon or detract from any negotiations or negotiated agreements between exclusive representatives and district governing boards. It is the intent of the Board of governors to respect lawful agreements between staff and exclusive representatives as to how they will consult, collaborate, share or delegate among themselves the responsibilities that are or may be delegated to staff pursuant to these regulations.

The Public Employee Relations Board of California establishes whether a violation of the exclusive representative and labor rights have been made.

3541.1 Powers and Duties of the Board

(b) To determine in disputed cases whether a particular item is within or without the scope of representation.

(l) To decide contested matters involving recognition, certification, or decertification of employee organizations.

3541.5 Unfair practice; jurisdiction; procedures for investigation, hearing and decision

(3) The board shall have the power to issue a decision and order directing an offending party to cease and desist from the unfair practice and to take such affirmative action, including but not limited to the reinstatement of employees with or without back pay, as well effectuate the policies of this chapter.

In PERB Decision 25089, *Ventura County Community College District, 1994, Domination Or Support – College Classified Senates – Unlawful Assistance – 62.25, 72.26*, the case law judge refused to eliminate the classified senate.

“Finally, union’s request for order requiring disestablishment of senates was denied where union failed to prove that district took any role in formation of senates.”

“Where there is employer domination, disestablishment of the dominated organization is appropriate remedy. (*Redwoods*.) Since employer domination of the senates was not proven here, the remedy will be limited to a cease and desist order.”

This decision further supports the rights of employee participation groups to exist and communicate with the employer on items outside of collective bargaining.

The *Ventura Decision* established that the district violated the Act by unlawfully supporting the classified senates and dealing with the senates on negotiable topics. By dealing with the senate on negotiable topics, the senate ventured into the area of meeting the criteria of a rival labor organization. This opened the door for a complaint of violation, resulting in a decision of unlawful support of a rival organization. This case is a lesson to all classified senates and community college administrations for what not to do.

California Code further clarifies the role of the exclusive representative and the rights of classified employees to be represented by other organizations **outside** the scope of bargaining:

Section 3540.1

(l) “Recognized organization” or “recognized employee organization” means an employee organization which has been recognized by an employer as the exclusive representative pursuant to Article 5 (commencing with Section 3544).

Section 3543

(a) Public school employees shall have the right to form, join, and participate in the activities of employee **organizations** of their own choosing for the purpose of representation on all matters of employer-employee relations. Public school employees who are in a unit for which an exclusive representative has been selected, shall be required, as a condition of continued employment, to join the recognized employee organization or to pay the organization a fair share services fee, as required by Section 3546. If a majority of the members of a bargaining unit rescind that arrangement, . . .

Section 3543.1

(a) Employee **organizations** shall have the right to represent their members in their employment relations with public school employers, except that **once an employee organization is recognized or certified as the exclusive representative** of an appropriate unit pursuant to Section 3544.1 or 3544.7, respectively, only **that** employee organization may represent that unit **in their employment relations** with the public school employer. Employee organizations may establish reasonable restrictions regarding who may join and may make reasonable provisions for the dismissal of individuals from membership.

(c) A reasonable number of representatives of an exclusive representative shall have the right to receive reasonable periods of released time without loss of compensation **when meeting and negotiating and for the processing of grievances.**

(d) All employee organizations shall have the right to have membership dues deducted pursuant to Sections 13532 and 13604.2 of the Education Code, until such time as an employee organization is recognized as the exclusive representative for any of the employees in an appropriate unit, and then such deduction as to any employee in the negotiating unit shall not be permissible **except** to the exclusive representative.

Section 3543.1(d) clarifies that other organizations may exist, but only the exclusive representative may receive dues as “exclusive representative.”

Section **3544** Request for recognition; proof of majority support

(a) An employee organization may become the exclusive representative for the employees of an appropriate unit **for purposes of meeting and negotiating** by filing a request with a public school employer alleging that a majority of the employees in an appropriate unit wish to be represented by such organization and asking the public school employer to recognize it as the exclusive representative.

The scope of representation for the exclusive representative continues to be controversial, with many union representatives claiming that everything is within the scope of representation. Section 3543.2 should put to rest, completely, the fact that matters within the scope of representation are defined, and that other “organizations” may represent employees on matters “outside the scope of representation.

Section 3543.2 provides in relevant part:

(a) The scope of representation shall be limited to matters relating to wages, hours of employment and other terms and conditions of employment. “Terms and conditions of employment” mean health and welfare benefits as defined by Section 53200, leave, transfer and reassignment policies, safety conditions of employment, class size, procedures to be used for the evaluation of employees, organizational security pursuant to Section 3546, procedures for processing grievances pursuant to Section 3548.5, 3548.6, 3548.7. and 3548.8 the layoff of probationary certificated school district employees, pursuant to Section 44959.5 of the Education Code, and alternative compensation or benefits for employees adversely affected by pension limitations pursuant to Section 22515 of the Education Code to the extent deemed reasonable and without violating the intent and purposes of Section 415 of the Internal Revenue Code. In addition, the exclusive representative of certificated personnel has the right to consult on the definition of educational objectives, the determination of the content of courses and curriculum, and the selection of textbooks to the extent such matters are within the discretion of the public school employer under the law. All matters not specifically enumerated are reserved to the public school employer and may not be a subject of meeting and negotiating, provided that nothing herein may be construed to limit the right of the public school employer to consult with any

employees or EMPLOYEE ORGANIZATION on any matter outside the scope of representation.

Case law has supported the existence of employee groups to participate in institutional committees on issues outside of bargaining within California, and across the nation, in education and industry. Once an exclusive representative is elected, it is clear that only that organization can represent those employees on matters within the scope of representation, or collective bargaining.

The largest community college classified union in California, CSEA, lists within its *Shared Governance Manual* items that they interpret to be within the scope of bargaining. This, again, supports that even state union organizations acknowledge that **everything** is not within the scope of bargaining.

Finally, the last Section of Article 5 concludes;

Section 3544.9 Recognized or certified exclusive representative; duty. The employee organization recognized or certified as the exclusive representative for **the purpose of meeting and negotiating** shall **fairly represent** each and every employee in the appropriate unit.

Local union representatives, therefore, should respond to the wishes of their local constituents and support the decisions of those members and not the directive of a statewide organization that discourages the *rights* of employees to form other professional organizations to represent them on issues outside of collective bargaining. Such outside pressure should be considered unfair representation of the employees they serve and an attack on individual rights.

Legal Opinion M 90-24 from the Chancellor of the California Community Colleges provides an examination of the issue before us. Again, it is important to read the entire document to understand the issue and arrive at a logical conclusion.

“Collective bargaining for community college employees is governed by the Educational Employment Relations Act. Government Code Section 3540 et seq. (EERA). For purposes of this discussion, the threshold question is whether a group of employees with which the employer consults can be said to constitute an “employee organization” within the meaning of Section 3540.1 (d) which defines that term as “any organization which includes employees of a public school employer and which has as one of its primary purposes representing those employees in their relations with that public school employer”. Assuming this question is answered in the affirmative, it is then necessary **to determine whether the relationship between the employer and the employee organization is such that it would lead to a violation of Section 3543.5 (d)**. That section provides that it is unlawful for a public school employer to “dominate or interfere with the formation or administration of any employee organization or contribute financial or other support to it or in any way encourage employees to join an organization in preference to another.

In interpreting these provisions, the Public Employment Relations Board (PERB) has looked to the decisions of the courts and the National Labor Relations Board (NLRB) construing the substantially similar provisions of the National Labor Relations Act (NLRA). Thus, before examining the California cases, it may be useful to review the federal law in this area. (Attachment 1: Evolving Community College Shared Governance to Better Serve the Public Interest, by Thomas J. Nussbaum, Vice Chancellor and General Counsel, California Community Colleges, January, 1995.)

Consistent with California labor and education code, the NLRA defines labor organizations and pertinent rights as follows:

NLRA, U.S. Code, Title 5

Section 7102. Employees' rights

Each employee shall have the right to form, join, or assist any labor organization, or to refrain from such activity, freely and without fear of penalty of reprisal, and each employee shall be protected in the exercise of such right. Except as otherwise provided under this chapter, such rights includes the right –

(1) to act for a labor organization in the capacity of a representative and the right, in that capacity, to represent the views of the labor organization to heads of agencies and other officials of the executive branch of the Government, the Congress, or other appropriate authorities, and

(2) to engage in collective bargaining with respect to conditions of employees under the chapter.

Section 7103. Definitions; application

(a)(4) "labor organization" means an organization composed in whole or in part of employees, in which employees participate and pay dues, and which **has as a purpose the dealing with an agency concerning grievances and conditions of employment,** . . ."

(a)(12) "collective bargaining" means the performance of the **mutual obligation** of the representative of an agency and the exclusive representative of employees in an appropriate unit in the agency **to meet at reasonable times and to consult and bargain in a good-faith effort** to reach agreement **with respect to the conditions of employment** affecting such employees and to executive, if requested by either party, a written document incorporating any collective bargaining agreement reached, but the obligation referred to in this paragraph does not compel either party to agree to a proposal or to make a concession;

Section 7116. Unfair labor practices

(1)(3) to sponsor, control, or otherwise assist any **labor organization**, other than to furnish, upon request, customary and routine services and facilities if the services and facilities are also furnished on an impartial basis to other labor organizations having **equivalent status**;

National labor law also consistently references the definition of "exclusive representative" and the scope of representation of labor organizations.

National Labor Relations Act

Sec. 9 [Sec. 159.] (a) [Exclusive representatives; employees' adjustment of grievances directly with employer] **Representatives designated or selected for the purposes of collective bargaining by the majority of the employees in a unit appropriate for such purposes, shall be the exclusive representatives of all the employees in such unit for the purposes of collective bargaining in respect to rates of pay, wages, hours of employment, or other conditions of employment:**

Sec. 2. [Sec. 152.]

(5) The term "labor organization" means any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work.

In "U.S. Labor and Employment Laws: Overview", International Labor and Employment Laws, Volume 1, the references conclude that "dominating, interfering with, or contributing financial or other support" is consistent with defining rival labor organizations..

4. Section 8(a)(2)—*Employer Support of Unions*

Section 8(a)(2) prohibits an employer from dominating, interfering with, or contributing financial or other support to a labor organization. A "labor organization" is broadly defined to include any employee group that "deals with" the employer concerning the terms and conditions of employment or labor grievances or disputes. Prohibited domination exists when the organization is controlled or directed by the employer, rather than the employees. Unlawful interference includes an employer's recognition of a minority union (even if the result of a good faith but mistaken belief of a majority status) or affirmative "assistance" to or supervisory participation in the organizing campaign of a preferred union over another rival union. A distinction has developed between unlawful employer support and lawful employer cooperation which does not infringe upon employees' Section 7 rights.

International Labor and Employment Laws, Volume 1
International Labor Law Committee
American Bar Association Section of Labor and Employment Law
The Bureau of National Affairs, Inc., Publisher
Page 33

It is a foregone conclusion that the role of a classified senate is not to make recommendations to an administration on issues clearly within the scope of representation. However, discussion of such items is not a violation. Consistently making recommendations on such items clearly is a violation. Additionally, this reference discusses representation by organizations other than unions.

III. Representation by Entities Other than Unions

The United States does not have a statutorily established system of works councils as do European countries. The National Labor Relations Act (NLRA) imposes restrictions on the establishment of employee participation programs in the workplace.¹ In some

situations the NLRA may be interpreted to protect nonunionized employees engaging in protected concerted activity.²

(¹See II.E. and II.F., ²See II.D.)

International Labor and Employment Laws, Volume 1
International Labor Law Committee
American Bar Association Section of Labor and Employment Law
The Bureau of National Affairs, Inc., Publisher
Page 56

II.E. <>Electromotion and Employee Participation Programs

The NLRA prohibits an employer from establishing committees of employees and soliciting proposals from those committees concerning terms and conditions of employment. In *Electromotion, Inc.*, the NLRB established standards for the legality of employee participation committees.

In *Electromotion*, the employer established “action committees” comprised of six employees and one or two members of management to discuss and seek resolution of matters including attendance bonuses, pay scales, and a no-smoking policy, issues traditionally regarded as terms and conditions of employment. Because the employer structured the committees, provided the materials, participated in structuring proposals, and paid the employees for their time, the NLRB held that the company had unfairly dominated or interfered with the formation and administration of a labor organization and, therefore, violated the NLRA.

Section 2(5) of the NLRA defines a labor organization as “any organization of any kind, or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work. Thus, under the NLRA, labor organizations are not limited to unions, but comprise all forms of groups that deal with employers concerning the terms and conditions of employment, including employee committees organized to deal with such terms and conditions. Section 8(a)(2) of the NLRA makes it an unfair labor practice for an employer “to dominate or interfere with the formation or administration of any **labor organization** or contribute financial or other support to it” As such, employee participation committees organized by the employer to discuss and offer proposals on the terms and conditions of employment violate Section 8(a)(2). As such, employee participation committees organized by the employer to discuss and offer proposals on the terms and conditions of employment violate Section 8(a)(2).

The most important criteria in determining whether an employee committee is a labor organization, and thus protected by the NLRA, is whether the committee “deals with the employer over terms or conditions of employment. “Dealing with” includes more than traditional collective bargaining between a union and an employer. In order to be considered dealing with an employer, an employee committee must engage in a pattern or practice of dealing with an employer concerning terms and conditions of employment. Isolated incidents of dealing with an employer are insufficient to establish an employee committee as a “labor organization.”

International Labor and Employment Laws, Volume 1
International Labor Law Committee
American Bar Association Section of Labor and Employment Law
The Bureau of National Affairs, Inc., Publisher
Pages 35-36

II.F. NLRB Post-<Electromotion Decisions

Four separate decisions revisiting the issues of employee participation committees were issued by the NLRB on December 18, 1995, and released in early February 1996. The decisions further detail the standards articulated in *Electromotion, Inc.*, and *E.I. du Pont*. Two of the decisions held that employee participation committees violated the NLRA, while the other decisions found no violation of the Act. Each is discussed below.

In *Dillon Stores*, the NLRB held that a committee established by the employer to “communicate” with the employees violated Section 8(a)(2) of the NLRA. Dillon Stores initiated quarterly meetings where management would respond to questions and comments from the employees’ “representatives” on the committee. The questions and answers covered topics such as scheduling, equipment, dress code, promotions, and benefits. Management implemented some suggestions and responded to all queries.

The Board noted that “communications and dealings are not mutually exclusive terms; some communications are dealings.” In this case, the communications involved the receipt of proposals and grievances on almost every aspect of the employment relationship and “by word or by deed” the acceptance or rejection of those grievances or proposals. Because the employer initiated all meetings, determined which employees would serve as members, determined the committee’s structure and functions, and paid members for the time spent at meetings and preparing for meetings, the Board found that Dillon Stores dominated and interfered with a labor organization. The Board ordered Dillon Stores to disband the committee.

In *Webcor Packaging*, a committee designed to offer recommendations to management about the Plant Council, was implemented to resolve management’s perceived problems with another committee, the Employee Involvement Steering Committee. The Steering Committee previously was established to focus on issues of quality, waste reduction, housekeeping, safety, and productivity. However, employees were asking the Steering Committee to handle other issues such as changes in overtime distribution, pay for lunch breaks, and pay for employee-supplied safety equipment. Because resolving these issues would interfere with the function of the Steering Committee, Webcor management formed the Plant Council to handle issues involving work conditions.

The employee members of the Plant Council were elected by the work force, and the management members were chosen by Webcor. Management retained final authority to accept or reject proposals from the Plant Council and did so on several occasions. The Plant Council was disbanded during an organizational campaign by the Teamsters. When the employees voted against Teamster representation, the Plant Council was reestablished. The Teamsters filed charges against Webcor alleging that the Plant Council violated Section 8(a)(2). The Steering Committee was not challenged.

The Board found that the Plant Council was not merely a means of communication, nor a committee to discuss production problems and plant efficiency. The Board held that the Plant Council was directed to engage in a pattern or practice of making recommendations on the terms and conditions of employment for management consideration, in violation of the NLRA. The Board set aside the results of the representation election, directed that second election be conducted, and ordered Webcor to disband the Plant Council.

In the case of *Stoody Co.*, the Board found that a Handbook Committee, which met only once for one hour, did not violate the Act, even though the employees raised concerns and made proposals about employment conditions. The Committee, made up

of seven nonsupervisory employees and three supervisors, was formed to discuss inconsistencies between the handbook and current practice. During the first meeting, several employee members initiated discussions about working conditions. The supervisor in charge of the meeting participated in the discussion. At the next scheduled meeting the Committee was disbanded. The charge against Stoodly was filed during the organizing campaign by the United Auto Workers.

The Board found that “a 1-hour meeting in itself shows no pattern or practice of any kind” and clarified *du Pont*:

By requiring that “dealing” consist of a pattern or practice of making proposals to management on [terms and conditions of employment] *du Pont* allows for the isolated errors that may occur in any genuine attempt to change the interaction between employer and employees At the same time, *du Pont* makes it clear that recurring instances of an employee participation committee making proposals to management on mandatory subjects constitutes “dealing” and the committee will be found to be a labor organization.

In *Vons Grocery*, the unionized employer created a Quality Circle Group (QCG), and employee participation group devoted to considering specific operational concerns and problems. After three years of addressing and solving operational issues, the QCG considered a dress code and an accident point system—subjects that had been discussed with the union. The union was informed of the proposals and participated in the QCG. The union pursued the proposals in negotiations and the QCG did not consider them further. When the union complained that the QCG was infringing on its right as exclusive bargaining representative, Vons Grocery immediately changed the format of the QCG to include a union steward at each meeting.

The Board held that one incident of making proposals on conditions of work does not constitute a pattern or practice of “dealing” within the meaning of Section 2(5) of the NLRA. Because Vons Grocery immediately responded to the union’s concerns about the group by changing the format, the NLRB found that there was little likelihood that the one incident would develop into a pattern. **Thus, the one incident did not transform a lawful employee participation group into a statutory labor organization.**

International Labor and Employment Laws, Volume 1
International Labor Law Committee
American Bar Association Section of Labor and Employment Law
The Bureau of National Affairs, Inc., Publisher
Pages 36-37

This ABA resource continues to define unions and collective bargaining:

Section 7 “prohibited certain unfair labor practices by unions.”

The Representation Process and Union Recognition

Section 9(a) of the NLRA provides that in order to become a collective bargaining representative a union must be “designated or selected” by a *majority* of the employees in an appropriate bargaining unit. The NLRA does not specify an exclusive procedure or method by which such designation or selection must be made. Under the NLRA, bargaining representative status—which, in the United States is exclusive to one union—can be obtained through (1) voluntary recognition by the employer, (2) an NLRB

bargaining order, or (3) formal NLRB certification after a secret-ballot representation election. Each procedure is discussed below. (U.S. Labor and Employment Laws: Overview, American Bar Association, p. 26-27)

Voluntary Recognition

In a typical union organizing campaign, employees are requested by union organizers to sign a document (usually an “authorization” card) which expressly designates the union as their exclusive collective bargaining representative. If, without misrepresentation or coercion, the union obtains valid authorization cards from a majority of employees in an appropriate bargaining unit, it may demand that the employer recognize and bargain with it as the employees’ exclusive representative.

If an employer is satisfied that a union in fact has achieved “majority status,” it may voluntarily recognize and bargain with the union. Conversely, an employer cannot lawfully recognize a union that has not achieved majority status at the time of recognition. Even if both the employer and the union honestly believe the union has achieved majority status, employer recognition of a **minority union** is considered an unfair labor practice by both the employer and the union because it violates the “majority rule” principle of Section 9(a) of the NLRA and interferes with the affected employees’ Section 7 rights to select a representative of their own choosing or to refrain from engaging in Section 7 activities. The single exception under the NLRA is provided in Section 8(f), which allows “pre-hire” agreements between a construction industry employer and a minority union. (U.S. Labor and Employment Laws: Overview, American Bar Association, p. 27)

The following is outlined in AB 1725 to discourage boards from interfering with the development of classified organizations. However, this definition is outlined in NLRA for establishing **competing labor organizations**.

Section 7 . . .

4. Section 8(a)(2)—Employer Support of Unions

Section 8(a)(2) prohibits an employer from dominating, interfering with, or contributing financial or other support to a labor organization. A “labor organization” is broadly defined to include any employee group that “deals with” the employer concerning the terms and conditions of employment or labor grievances or disputes. Prohibited domination exists when the organization is controlled or directed by the employer, rather than the employees. Unlawful interference includes an employer’s recognition of a minority union (even if the result of a good faith but mistaken believe of majority status) or affirmative “assistance” to or supervisory participation in the organizing campaign of a preferred union over another **rival union**. A distinction has developed between unlawful employer support and lawful employer cooperation which does not infringe upon employees’ Section 7 rights.

The Chancellor’s Office included this description in AB 1725 to discourage competition for governance representation to rival classified groups that could be viewed as or evolve into rival labor

organizations. Labor law outlines this criteria as the test to establish a **rival labor organization**. In the Chancellor's position paper on shared governance he outlined this criteria. Labor and case law establishes clearly that this criteria must be met in its **entirety** to establish violation and support of a rival labor organization. All sections must meet the test, not one or two.

LEGAL OPINION Of State Chancellor's Office Regarding Minimum Standards for Staff Participation in Governance

Staff should have the choice of how they want to organize and present their views on governance matters. They should have the flexibility to choose how they organize and provide views on governance matters.

They have the right to form, join and participate in the activities of an employee organization.

PERB uses a two-step approach in determining a violation of the exclusive bargaining agent's rights:

1. If the group constitutes an employee organization. That is, does the employee organization:
 - a. Meet regularly?
 - b. Consist of elected representatives?
 - c. Make recommendations on bargaining issues?

2. If so, does the totality of circumstances include:
 - a. Support by the governing board as shown by
 - (1) Employer financing group?
 - (2) Employer giving employees release time?

 - b. Domination by governing board as shown by
 - (1) Employer scheduling organization's meetings?
 - (2) Employer determining the agenda?

 - c. Interference of governing board as shown by
 - (1) Employer taking action to favor the group or undermine the credibility of the exclusive representative.

The development of classified senates and other employee participation groups in community colleges is only part of what we are finding to be a **much bigger** movement in the United States. Research has uncovered employee participation groups all across America in business and education.

Businesses have been experimenting with the TQM, or Total Quality Management Style of administration or governance for years. Since its introduction, businesses have found that

productivity, efficiency, cooperation, and employee morale have increased with this sharing of the decision-making process. These employee participation groups, however, are viewed by some as the beginning of a move away unions. Though businesses are finding TQM to be a progressive form of management, unions **are** resisting, forcing management to evaluate the benefits of employee input in the management process versus the liability costs of employee union complaints.

It is clear that employee groups participating on committees that consistently discuss items normally used in the bargaining process **may be disbanded** by the Public Employees Relations Board (PERB) if the group meets the criteria of a **competing labor organization**. However, labor law does not prohibit participatory committees from discussing such issues without recommendation on those issues, or from making such recommendations on prohibited issues without proof of consistency of making such recommendations. The goal here is not to point out the participatory committees can or have discussed and made recommendations on issues within the scope of representation, but to provide information from the law. This organization (4CS) is forced to present that information as a result of classified union activities of the past year.

The difference between employee participation committees and exclusive labor representatives is the employee participation groups provide input and recommendation only that district and local boards are not required to follow, whereas exclusive labor representatives bargain for final policies and procedures that district and local boards are required to act upon and adhere to. In the case of classified staff, input in the participatory governance is not an issue of power, but of collegial discussion and recommendation. Not of negotiation, but of cooperation and education toward meeting the goals of the institutional vision and mission.

Classified senates across the state were developed because AB 1725 required districts to work with the classified representative **chosen** by classified staff for input into the governance process. (attachment: See AB 1725 language) Labor law does not support that the exclusive representative **must** represent classified in this professional role. Labor law discusses the role of the exclusive representative and continues to mention other organizations and the relationships between administration and those groups. The passage of SB 235 gives unions the right to have union representatives present on governance committees. It does not exclude other organizations from participating on such committees in a non-union capacity. An interpretation of SB 235 is included to evaluate the possible ways SB 235 may be implemented.

Positive Action and Direction By Visionary Leaders

Senates have two concurrent objectives before them that need to be put addressed as soon as possible.

The first is to assure our unions, that classified senates will not replace the important roles of classified unions. Governance and collective bargaining are time consuming commitments that require focus. Senates need to develop and encourage new leaders to take turns in representing classified staff, whether it be a job steward or other union officer, or a senator. This will allow rotation and education of all employees that will

eliminate employee burnout. Our organizations can work together to benefit this area – after all – these classified organizations are all the same employees, senate or union.

Second, classified **senates** must be educated as to the delineation of responsibilities that are agreeable between the two groups. Violation is not acceptable. There is labor and case law to support employee participation groups can exist and have positive results for the organization or institution. They must participate without crossing the lines. Individual union and senates leaders are not elected to **dictate** to the employees they represent. Visionary leadership does not mean a dictatorship position to create conflict within the employee unit.

Both classified senates and unions need to be provided the labor and case law supporting the rights of employee participation groups to exist. Those references are included here.

The classified senates felt uncertain when being challenged by unions, we hope that the conflict that was present on campuses existed because local unions did not have the knowledge of labor and case law to understand that classified staff have the right to develop employee participation groups.

Every member of a classified senate or union should have the best interest of classified staff in mind, or they wouldn't take the leadership challenge. Classified staff are on the same team and need to work together and see the value in each organization.

The values of classified senates and employee participation groups **have** become obvious in community colleges, and across the nation. So why has there been conflict between classified senates and unions? Fear of losing our unions seems to be a major factor – we need to eliminate this confusion.

Unions must always be available to protect the interests of employees – any individual who believes that the human race has evolved to the point of trust that there is no longer a need for unions is being unrealistic. Moving away from unions is not an option. We need our state unions to continue to introduce and protect the important laws that they have won for us.

We need leaders in two separate arenas – governance and collective bargaining. Perhaps in our efforts to be represented professionally in governance by other than our unions, we have failed to emphasize our continued support for them. This needs to be corrected.

The classified senate in many cases has been an incubator for future union leaders. Senates can be a vehicle for leadership growth in a nurturing environment for those who wish to go on in a union capacity and may feel a need for some experience on the road to that possibility. Without a classified senate, many classified staff members **never** take up the leadership challenge.

Senates are leadership organizations that encourage classified staff members to participate and learn about the institution. With that knowledge and training, many people see that not only do they have some leadership qualities, but they have what it takes to be union leaders. Senates are a leadership building tool that benefits both the classified staff and the institution.

One of the challenges of officers in union positions in excessive periods of time is the resulting in burnout and, in some cases, the illusion of ownership of the organization or chapter. We do not want leaders to suffer from burnout or have leaders that represent us simply because no one else wants to do it. Senates can play an important role in cultivating new leaders who simply need encouragement and support and prefer to begin involvement by participating in an arena without conflict. Senates provide the experience and education in and of the institutional processes that promote a collaborative approach. This positive environment cannot help but impact the collegiality and respect on the campus. It is the sincere belief of this organization that the classified senates have been a positive move forward for classified staff and community college campuses.

Employee participation committees have found success in industry and community colleges, but they need good leadership of both unions and senates to be successful. There are many successful models of cooperative relationships across the state between classified unions and senates. Those structures can be guides for other campuses that are working out their problems. It is essential for all members of the campus community to recognize the positive impacts attributed to classified senates/councils.

All across the state senates have:

- Increased communication
- Developed new leaders
- Promoted a positive environment
- Increased the visibility of classified staff
- Achieved great steps in classified participation in the system
- Increased classified programs
- Increased classified recognition and awards
- Created a network for sharing great ideas and programs
- Improved morale
- And SENATES HAVE MADE OUR INSTITUTIONS A BETTER PLACE FOR OUR STUDENTS!

When positive open communication can be encouraged to take place on campuses between senate and union representatives, then conflict should subside and the true experiment begins. We should all encourage our statewide organizations to support this effort, while stressing that we support **their** roles.

Finally, it is essential that community college campuses provide visionary leadership from the top of the organization. From local Boards, chancellor's, and superintendent/presidents. Without visionary leadership, senates cannot successfully represent a professional voice for classified staff. Without that leadership classified staff cannot take pride in and be a part of the success of their organization. Classified staff are an untapped resource that, with

senates, have learned their potential and are excited about being an active part in the success of community colleges.

It is important to add that there are campuses without senates and all campuses have the right to participate in the governance and collective bargaining processes as they choose and 4CS supports those decisions. Unfortunately, on many campuses the union acting in the role of governance representation is not effective. It has become increasingly apparent that many individuals cannot “help” but view a union appointed member of a committee as a participant representing union views. Classified senates changed this paradigm. A professional organization represents the professional ideas of a group and individual expertise without this confusion. This philosophy is the foundation for the need for classified senates. Classified employees do not want to be represented in professional and governance matters by those “few” who have been chosen as union representatives. The purpose of unions is clear and important. Those organizations should be focusing on the areas for which their members agree – not working against those members and removing their rights.

The future for classified senates can be a positive one and we are **part** of a **bigger** professional movement toward a positive workplace and a better world. Classified Senates and Unions need to rise to the challenge and not be left behind.

SB 235 Interpretation

When considering the interpretation for any law, it is essential to evaluate who will be making the interpretation and what their interests or objectives are. In the case of SB 235, several groups will be interpreting the law to see how it negatively or positively affects them. These community college groups include, but are not limited to:

- **classified senates**
- **classified unions**
- **classified employees**
- **administrators**
- **trustees**
- **state classified union organizations**
- **state classified senate organization**

It is equally important to consider other provisions of law that may conflict with the law under interpretation.

The following interpretation is provided to focus on possible interpretation and outcomes of SB 235. The bill language, here is bold letters, is broken down for interpretation and discussion.

Section 70901.2 is added to the education code, to read: (Bold)

“Notwithstanding any other provision of law, when a classified staff representative is to serve on a college or district task force, committee, or other governance group, the exclusive representative of classified employees of that college or district shall appoint the representative for the respective bargaining unit members.”

Q: Is a classified senate a task force, committee, or other governance group?

A: A classified senates is an employee participation group, or “classified organization” developed to support the vision and mission of community colleges. Some senates were in existence prior to AB 1725, but many senates were developed as a result of AB 1725 and took on the primary role of

coordinating classified participation in governance by increasing classified education, knowledge, and communication to allow classified to participate effectively in governance.

Q: Does the statement, “. . . for the respective bargaining unit members” mean classified employees can only be represented by the union appointed representative in that capacity?

A: If this statement stood on its own, it would be interpreted in that way. However, the bill further states, “A local governing board may consult with other organizations of classified employees on shared governance issues that are outside the scope of bargaining.” This allows other classified organizations representing classified staff in a capacity that is outside the scope of bargaining. Items within the scope of bargaining are outlined within the National Labor Relations Act (NLRB) and additionally defined similarly by California Code, and the Public Employee Relations Board (PERB or EERA):

Section 2(5) of the NLRA defines “labor organization” as “any organization of any kind or any agency or employee representation committee or plan, in which employees participate and which exists for the purpose, in whole or in part, of dealing with employers concerning **grievances, labor disputes, wages, rates of pay, hours of employment, or conditions of work**”.

“The exclusive representative of the classified employees and the local governing board may mutually agree to an alternative appointment process through a memorandum of understanding.”

Interpretation: The majority of classified employees of a bargaining unit may request that their union officers develop a memorandum of understanding, or side letter to the existing contract with the district, to outline that classified committee appointment responsibilities be a duty, in whole or part, of the classified senate. It is, of course, a negotiated item and would have to be an issue of agreement by the administration. This document would become an item of negotiation between the District and classified exclusive representative.

Another scenario could be for the classified staff to decide that only union appointments be made to committees, whereas the administration would be required to offer committee seats to the exclusive representative for appointment.

The administration then has the option to provide an additional seat for a classified senate or “other organization” that asks to participate in the governance process. Without a memorandum of understanding in place, unless negotiated into the classified contract, an administration has the option to recognize or not to recognize other classified organizations requesting input into the governance process.

“A local governing board may consult with other organizations of classified employees on shared governance issues that are outside the scope of bargaining.”

Q: Does this statement imply that “other organizations of classified employees” could mean classified confidential and management that is not represented by the classified exclusive representative?

A: Again, standing alone, the statement, “A local governing board may consult with other organizations of classified employees on shared governance issues . . . “ could be interpreted to that conclusion. However, the last segment of the statement, “. . . that are outside the scope of bargaining.” would convey that other organizations are allowed to represent classified employees in non-bargaining professional matters. NLRA, NLRB and PERB decisions support this conclusion.

“These organizations shall not receive release time, rights, or representation on shared governance task forces, committees, or other governance groups exceeding that offered to the exclusive representative of classified employees.”

Q: Does this statement suggest that the union shall receive release time for union activities?

A: This statement could be very confusing. When reviewing the whole content of the law, it is important to note that the bill is relative to governance participation. Classified senates, an organization existing only for institutional purposes, may receive release from their work and rights for governance purposes only. This bill, therefore, requests that the exclusive representative receive release from their work and rights for their participation in governance activities. Though there are campuses that provide release time to union officers to conduct union business, this bill does not provide direction for districts to provide release time for unions to conduct union activities.

“A local governing board shall determine a process for the selection of a classified staff representative to serve on those task forces, committees, or other governance groups in a situation where no exclusive representative exists.”

Interpretation: As a result of AB 1725 passed by the legislature in 1988, districts were directed not to interfere with classified staff’s choice of how they participated in governance. SB 235 overrides AB 1725 and gives that right to district governing boards. Though this section of the bill does not affect the majority of campuses, there are campuses without classified unions who are represented by classified senates who will now be directed by campus administrations on the structure for classified participation in governance. Due to the fact that AB 1725 cannot conflict with California Code, this is a step backwards for classified staff.

Below are some of the questions received by 4CS.

Q: Can a CEO or district eliminate a classified senate?

A: Classified senates are employee organizations and can only be disbanded by a majority of those who developed them. If a majority of the classified staff of a community college voted to develop a classified senate, only a majority of that group can remove them. A CEO or district may, however, refuse to recognize and allow employee participation organizations to participate in the process.

Q: Can a CEO or district refuse to grant release time for participation on governance committees?

A: The elimination of release time to participate on college committees could be considered a restriction from opportunity for input by classified staff in the governance process. Refer to the California Code of Regulations regarding such opportunity.

§51023.5. Staff.

(a) The governing board of a community college district shall adopt policies and procedures that provide district and college staff the opportunity to participate effectively in district and college governance. At minimum, these policies and procedures shall include the following:

(1) Definitions or categories of positions or groups of positions other than faculty that compose the staff of the district and its college(s) that, for the purposes of this Section, the governing board is required by to recognize or chooses to recognize pursuant to legal authority. In addition, for the purposes of this Section, management and non-management positions or groups of positions shall be separately defined or categorized.

(2) Participation structures and procedures for the staff positions defined or categorized.

(3) In performing the requirements of Subsections (a) (1) and (2), the governing board or its designees shall consult with the representatives of existing staff councils, committees, employee organizations, and other such bodies. **Where no groups or structures for participation exist** that provide representation for the purposes of this Section for particular groups of staff, the governing board or its designees, shall broadly inform all staff of the policies and procedures being developed, invite the participation of staff, and provide opportunities for staff to express their views.

(4) Staff shall be provided **with opportunities** to participate in the formulation and development of district and college policies and procedures, and in those processes for **jointly developing recommendations** for action by the governing board, that the governing board reasonably determines, in consultation with staff, have or will have a significant effect on staff.

(5) Except in unforeseeable, emergency situations, the governing board shall not take action on matters significantly affecting staff until it has provided staff an opportunity to participate in the formulation and development of those matters through appropriate structures and procedures as determined by the governing board in accordance with the provisions of this Section.

(6) The policies and procedures of the governing board shall ensure that the **recommendations and opinions of staff** are given **every reasonable consideration.**

(7) The selection of staff representatives to serve on college and district task forces, committees, or other governance groups shall, **when required by law, be made by those councils, committees, employee organizations, or other staff groups that the governing board has officially recognized in its policies and procedures for staff participation.** In all other instances, the selection shall either be made by, or in consultation with, such staff groups. In all cases, representatives shall be selected from the **category** that they represent.

(b) In developing and carrying out policies and procedures pursuant to Subsection (a), the district governing board shall ensure that its actions do not dominate or interfere with the formation or administration of any employee organization, or contribute financial or other support to it, or in any way encourage employees to join any organization in preference to another. In addition, in order to comply with Government Code Sections 3540, et seq., such procedures for staff participation **shall not intrude on matters within the scope of representation under Section 3543.2** of the Government Code. In addition, governing boards shall not interfere with the exercise of employee rights to form, join, and participate in the activities of **employee organizations** of their own choosing for the purpose of representation on all matters of employer-employee relations. Nothing in this Section shall be construed to impinge upon or detract from any negotiations or negotiated agreements between exclusive representatives and district governing boards. It is the intent of the Board of Governors to respect lawful agreements between staff and exclusive representatives as to how they will consult, collaborate, share, or delegate among themselves the responsibilities that are or may be delegated to staff pursuant to these regulations.

*Q: Section (7) (b) states, “. . . the district governing board shall ensure that its actions do not dominate or interfere with the formation or administration of any employee organization, **or contribute financial or other support to it, or in any way encourage employees to join any organization in preference to another.**” Does this statement mean that district cannot provide financial support to a classified senate.*

A: The NLRA defines word for word the language included in this section as that pertaining to competing Labor Organizations. (Bold and underlining added for emphasis.)

Section (7)

4. Section 8 (a) (2) – Employer Support of Unions

Section 8 (a) (2) prohibits an employer from dominating, interfering with, or contributing financial or other support **to a labor organization.** A “labor organization” is broadly defined to include any employee group that “deals with” the employer **concerning the terms and conditions of employment or labor grievances or disputes.** Prohibited domination exists when the organization is controlled or directed by the employer, rather than the employees. Unlawful interference includes an employer’s recognition of a **minority union** (even if the result of a good faith but mistaken believe of majority status) or affirmative “assistance” to or supervisory participation in the organizing campaign of a preferred union over another **rival union.** A distinction has developed between

unlawful employer support and lawful employer cooperation which does not infringe upon employees' Section 7 rights.

The NLRB defines criteria to establish a labor organization that must be established in whole, not in part.

Conclusion

The future of classified staff to participate professionally and effectively is dependent upon the decisions of local classified senates and unions to support the decision of the majority of classified employees on the campus to decide what group will represent them in governance.

Local unions are made up of classified employees who direct their elected union officers to represent them. Local unions should support the decision of the classified staff they represent. If it is the decision of the classified staff for their union to make committee appointments and the classified senates are responsible for open communications between the administration and classified employees on non-bargaining governance issues, classified senates may still require classified committee members to report committee activities to the senates. These are local decisions and the 4CS supports **all** local decisions that do not conflict with the mission and objectives of senates within the governance process.

The 4CS strongly advises that senates work cooperatively with their unions to provide the most benefit to classified staff and the community college system.

It is imperative that each campus has the tools to work cooperatively and smoothly together. These tools include:

- ❑ Comprehensive Committee List
- ❑ Delineation of Duties
- ❑ Provide sections in Bylaws of each group establishing the relationship with the other
- ❑ Memorandum of Understanding with the district if necessary

The California Community Colleges Classified Senate is available to meet on any campus or place to discuss the issues discussed here and the importance of classified staff in the community college system. A 4CS Classified Senate manual outlining the suggested role of local classified senates and the role of the statewide classified senate (4CS) are available upon request.

2/22/02

“Redwoods” and “Ventura” Decisions
(July 1986) - (Dec. 1994)

“Redwoods” Community College Decision PERB #650 – July 1986

“Ventura” Community College District Decision PERB #1073 – Dec. 1994

Redwoods came before AB1725, and Ventura came after.

Essentially, both decisions allow senates to exist, but NOT to enter into any area of representation reserved for an exclusive representative labor organization.

In the Ventura Decision, the Educational Employment Relations Act (EERA), Section 3543.2, sets out the definition of scope of representation for labor organizations. It is too long to repeat in its entirety here, but suffice it to say that the unions have specific privileges enumerated here, which they are limited to, and they do not include governance. Likewise, these privileges are areas that senates must stay out of if we are to exist as local senates where there is an exclusive representative present.

In addition, there are many legal considerations; for instance, unions, employers and employees are subject to a myriad of statutory provisions such as the Educational Employees Relations Act, California Education Code, AB1725, California Code of Regulations and numerous legal decisions by various entities. It's a virtual minefield!

Exclusive representatives (unions) have limitations imposed upon them as to the things they can get involved in. These limitations (called scope of representation) do not include governance issues per the Educational Employees Relations Act, Section 3543.2.

More information on these two decisions can be obtained from 4CS and may be found on the 4CS web site in the future.

Respecting And Working With Your Classified Union(s)

A Few Successful Ideas and Concepts for Your Consideration

At Chaffey College, our classified senate includes members elected from classified managers, supervisors, confidential, and "hourly" groups. The union deals with traditional issues of negotiated scope. The senate handles governance and cross-group communication. The senate president has a seat at the governing board table, as does the faculty senate president and senior management. The union and senate have agreed upon separate and combined functions as outlined on our web site at: [<http://209.129.13.65/clssenate/ccsendelin.html>]. I have often suggested that folks that are fearful of senates consider: Some folks embrace both a political party and a religious affiliation. To be told that a person can have only one group affiliation would not be taken well. Unions and senates can be viewed in a similar fashion--each meets different needs, sometimes the groups agree, and sometimes they don't. To be forced to conform to the mind-set of only one ideology, or only one representative group, is not democratic, and is inhumane, and downright un-American!

All four classified senates in the Contra Costa Community College District and the union representing us have drawn up a delineation of duties document. Representatives from all four of these senates and our union periodically meet to discuss compliance with this agreement. We also have a union representative that is a member of our District Governance Council.

We have had joint meetings of the Classified Senate and the classified union at Sierra College, where we have discussed leadership, reasons for participating, improving our service to classified staff and students, broad reaching college-wide issues (that involve both governance and collective bargaining aspects), and planning for jointly sponsored events. The senate and union have always worked well together in the areas of governance and collective bargaining, respectfully. Having both increases the opportunities for classified participation and effectively utilizing the different skills and interests of all willing to volunteer.

City College of San Francisco's Classified Senate has a Constitution & Bylaws that explains the role of the Senate. We do not cross over into bargaining issues. The senate and union have open communications with each other with all shared governance appointments, hiring committees, etc. Our union president serves on the senate as the union liaison. We have a shared quarterly newsletter, soon to be monthly newsletter. We are working on a joint Classified website. We share an office, together.

Mt. San Antonio College Classified Senate has a Constitution and Bylaws that can be found on our web site. It spells out what Senate does and is responsible for. We jointly put out a flyer each year with our union chapters explaining what the differences in responsibility is between our union and senate, and who are the current staff contacts for what! The senate members are helping the union create a website which will have links back and forth between the union site and the senate site. The Senate works to place all classified staff on the governance committees and hiring panels, but we consult with both union chapters to share staff placement ideas. If they have an issue with placement we work out a compromise. We also work with our union leadership before we make decisions and vote on Budgeting and Planning, so that our Classified voice is a uniform voice. one voice not two!

All this gives classified more ability to be heard campus wide, especially with a college as large as Mt. San Antonio College is, 40,000 students!

We have a referral program to refer staff to the union leadership when it is a union related issue. If there is ever a “gray” area, the Senate Executive Board communicates with the union Executive Board to confer. We work together on more fun events also, for example, we have co-sponsored a “coffee break” and classified staff week events. The most important link between us is open communication. Work with each other for the benefit of all involved. Work to build a positive relationship between the leadership of each group and do not be afraid to state your opinion, with respect. Always remain honest and open at all times. When things seem hidden, rumors start and rumors can destroy even the most secure.

At Long Beach City College we: (1) Have open communication - all meeting minutes, correspondence, announcements, calendars, etc. are located on an intranet page available to all employees; (2) Have a specific wording in our delineation of duties, our constitution/bylaws, and the District rules/regs that make very clear statements that the senate operates outside of bargaining areas; and, (3) Forward any requests from other District areas that may be union related to the union (we make sure that this is announced in our meetings so that it appears in our minutes. We are very knowledgeable on Gov. Codes and Ed. Codes that describes classified rights in shared governance and the legal "scope of representation" outlined in law for exclusive representatives.

Why Do We Choose to Work through Senates for Governance

California Community College Classified Staff Choose Senates Throughout the State

Community College Classified Staff have tremendous progress by participation in governance through their senates and have contributed much to the participatory governance efforts across the state. Classified Senates significantly encourage and contribute to the diversity of perspectives that is the underlying support and purpose of participatory governance. Participation by Classified Senates is an effective method for classified to participate. At approximately eighty (80) community colleges and districts, classified staff have freely chosen classified senate structures to represent them in governance, along side and separate from their unions who represent our collective bargaining interests through out the system.

Across the State of California, the thousands of classified staff have formed and contributed to our communities and colleges through their modern thinking classified senates. Community college classified staff are lead by exemplary people with inspired and unselfish leaders, working for our students and staff. Classified Senates are responsible and reasonable bodies which are part of participatory governance structures. They are part of the colleges and districts within which they form. Across the state, the modern Classified Senates have established a record of many positive contributions by working with integrity and independently within the authority and parameters established by the various district shared governance policies.

Senates and Governance

For over twelve years, the community college classified staff have contributed to the well being and effectiveness of the colleges through their existing classified senate structures. We work to make California's Community Colleges successful for our communities, of which we belong, and for our dedicated students, upon which all of our society's future depends.

College governance is still young and maturing. It has grown successfully for all involved, including classified staff, faculty, students and managers. It has significantly improved the responsiveness and effectiveness of our community college institutions to meet future needs. It promotes involvement, collaborative efforts and critical thinking. Classified staff that have worked so hard to participate and contribute since the passage of AB1725; it is amazing when you look at all that has been accomplished. It is the best method for including real diversity of contributing views, voices and perspectives in the governance process. With respect, the “union perspective” or serving as an union appointed representative to governance is not the same as serving as a classified senate appointed representative. The underlying purposes for participation and how you are received by others is in reality, fundamentally different. Therefore, senates should not become subcommittees of their associated unions, nor their individual members be appointed by their respective unions. Appointed members or senates will be responsible primarily to the unions who appoint them, not our students, staff and colleges. Under AB1725, senates have gladly accepted the charge, responsibility and obligations to serve the college's students, classified staff and communities. To make appointments to governance committees is one of the primary responsibilities of most senates. Since governance works through its committee structures. Senates take this responsibility very seriously.

Let us work together to strengthen governance for our students

We need to advocate stronger legislative language that supports classified senates and their governance role, and emphasizes and focuses the important work of unions in collective bargaining arenas. We have a governance system that can create a community college environment where an individual's contributions and personal growth through participation will be encouraged and where fear, mistrust and paranoia will NOT direct our actions and the future decisions made at the community colleges. Good governance models promote a world where a "we vs. they" or "might makes right" can not be the rule of behavior. Please help the state's classified by continuing to move forward in creating a world that does not separate people in order that power and secrecy can dictate our interactions. Let's strengthen governance and classified participation in it for our students and communities by improving and promoting the use of senates for classified staff participation.

Colleges Need a Diversity of Perspectives to Meet Our Future Challenges

Without senates, most often, the quality and breath of creative ideas for governance starts to disappear and is replaced with limited agendas at work. Our unions, our classified senates, all of our classified staff, our students, our colleagues, our community colleges need to work together as groups with many valid perspectives. What we need is new, creative, fresh, ideas and solutions which can arise in their best form from the collaboration of the many, from a wide diversity of perspectives and expertise, and from individuals primarily dedicated to meeting the educational needs of our students, communities, and colleges. Community colleges benefit from more participation, not less or restricted voices.

Senates and Unions Should Have Different, Complementary Functions

At most colleges with senates, appointment to governance committees and taskforces has fallen within the authority of the senates (classified and faculty) for years. Since governance works through committees, having the appointment rights of members to these committee resting anywhere but with the senates devastates the current governance structures and even the senates, themselves, as we know them today. Since the primary purpose of any senate is to contribute to governance through committees and to open lines of communication between colleagues, constituents and members, we need to fight anything that would devastate the high levels of participation at most colleges and districts. Good local control and self-determination is best for our system of colleges. There are more than seven unions that serve classified staff's collective bargaining interests across the system. Most classified staff prefer that their own union leadership concentrate on collective bargaining tasks and not to represent them in college and district governance, as evidence by the continuing and rapid growth of classified senates across the state. In the strong majority of cases, colleges and districts are best served by senates and unions working together within their separate and complementary, established roles. Senates have the realistic possibility to bring us all together, as parts working together as a whole.

4CS, the Statewide Classified Senate

The statewide classified senate, California Community Colleges Classified Senate or 4CS, was first formed in November of 1993 by a ratification vote of its Constitution and Bylaws. The first elected 4CS Executive Board began its work in 1994. Since that time, representatives from the various classified senates from across the state became connected and unified through this statewide senate for the first time.

4CS - A Young and Rapidly Growing Educational Service Organization

We have been growing and serving our members ever since. Currently, there are 80 Classified Senates serving at the individual community colleges and districts across the state. In addition to the eighty classified senates (senates, councils, forums, organizations), 4CS membership even includes a few union chapters (when the classified have chosen their union to serve as their local governance voice,

and that chapter has requested membership). 4CS is pleased to report that 4CS continues to grow. Classified staff at approximately three or four colleges are beginning the steps to form each year.

4CS and Classified Senates of California Have Received Recognition and the 4CSD EXECUTIVE BOARD AWARD OF MERIT

As a young organization, 4CS, needs support and recognition from those around it. We have received that recognition since our beginning from the Community College League of California (CCLC). We appreciate their unqualified support.

Most recently (Spring 2001), 4CS and its Classified Senates have been honored by receiving the (4CSD) California Community College Council for Staff and Organizational Development's "Executive Board Award of Merit - for Outstanding Contributions in Staff and Organizational Development." "This award recognizes organizations within the community college system that have made significant contributions to staff and organizational development." We are proud of the recognition given to us by these two groups for our hard work and unselfish contributions to the California Community College System.

Largely on our own, we have grown and developed faster than other similar and comparable organizations. Perhaps, because we are driven by altruistic and ethical motives to contribute and make a difference in our educational societies. We thank and appreciate those who have offered guidance and assistance as we grow.

4CS Represents All Classified

It is a very important point, that because of AB1725's outstanding influence, all classified staff, today, have the right to participate in governance. We represent all member classified groups regardless if they are senates, councils, unions, associations, as long as they are the elected, participatory / shared governance body chosen by the college's classified. In compliance with the law, 4CS represents all the state's community college classified staff as described in Ed. Code, including classified confidential, classified supervisory and classified managers. Without classified senates and 4CS they would have no voice in our community college societies. A senate can best represent the important interests and contributions from these hard working individuals. We would not want to ever silence their voice and contributions; we should be respecting instead.

Governance, Senates and 4CS - A Successful Social Experiment

As classified and 4CS, we ask only to participate as equals and contribute our unique perspective, without prejudice. We ask of our colleagues at the state level and ask of you to not harm our future ability to make a meaningful contribution to the state's educational efforts. The California Community College System needs new voices, along with the other existing voices, for positive and effective change to meet its challenges. 4CS and the state's classified senates can be one of those voices if allowed to grow and develop. Currently, most classified staff are allowed, locally, to determine how participate and do effectively participate. Each classified representational pattern has developed to meet local community needs, often following a pattern of having two classified bodies, one for governance and a separate one for collective bargaining purposes. At some colleges, classified staff have independently and freely chosen to form one body to perform both functions. Either pattern can work well, although most colleges and districts choose to be represented and work as separate bodies. 4CS maintains that these are local decisions that should be made locally and respected by others.

New Ideas and Perspectives are Needed

We do not need old positions, similar perspectives, inequality between groups or class stereotypes which come from a traditional "we vs. they" perspective. We do not need colleges with staff fearful to speak up and to contribute. Senates have provided a professional mechanism for growth and participation. Our vision of what California's communities need includes viable and effective community college centers of learning. Community colleges need new ideas, positive relationships, classified energy and dedication to meet their future challenges and missions. Non-traditional solutions can come from many sources, solutions to make improvements to our colleges and increase their responsiveness to our communities' educational needs. We believe that classified senates working with our many colleagues in education and government can add that dynamic perspective and dedicated drive for excellence in California's educational systems.

Respecting Commitment and the Need for Supportive Legislation

AB1725 did give classified the right to participate in governance and to determine how that voice will be heard. Overwhelmingly, most of the state's classified prefer to be represented by separate senate (governance) and union (collective bargaining) bodies. Senate members are currently and rightfully elected to serve by their classified members. As an elected body, the senates are responsible and accountable for their actions. Although not currently mandated by law, senate members are strongly bound in their representational responsibilities by a strong and dedicated sense of integrity, commitment to ethical conduct, and guided by strong beliefs and obligations to their fellow members. As you know, this personal, self-commitment is the strongest, binding force. Most of our positive and meaningful actions toward each other flow from this human spirit and adherence to our core values. It is what binds and regulates our actions.

Please assist us in adopting new language that recognizes classified senates, their governance responsibilities and the thousands of hours of work that classified senates have already successfully contributed to the California Community College governance on behalf of our students, communities and colleagues. The California Community Colleges Classified Senate (4CS) can supply you with that proposed language if you are ready to encourage a diversity of perspectives and participatory governance for our California Community Colleges and their Classified Staff.

Please assist us in making the California Community Colleges stronger, responsive and effective. Please help create and support legislation to promote classified senates, to promote a healthier and more responsive community college system. 4CS members would be pleased to meet and work with you for purpose of achieving that goal.

In our society, it is well established that a separation of function among organizations is the norm, and the separation allows the different organizations to focus and to have commonality of purpose among the people involved. This specialization allows for individuals and organizations to work well together, yet it provides meaningful advocates and emphasis to their human efforts. The separation of the union or collective bargaining interests from that of community college's participatory governance is very logical, successfully practiced, and well established, largely, due to AB1725 and the work of staff.

Every one has the right to their own voice and the freedom to act responsibly as they so choose. Above all else in this country, we must protect the individual's ability to speak freely. When any group, including a union, attempts to control, limit or prevent that free voice that belongs to others, they become bullies instead of protectors of individual rights. They should not be respected or allowed to succeed. It is the union's work to protect the right to express one's views in any lawful manner they

choose. Reasonably, nothing should limit our voice in community college governance to that expressed by and arranged for and "appointed by" the union or any single group we might be affiliated with because of common interests. Many classified staff choose to express our views on community college governance issues through their "classified senate" committee structure. Many classified staff also choose their union to represent their views on collective bargaining issues. Please protect our freedom to choose; do not take our choice away.

Collective bargaining agents or exclusive representatives (unions) all ready have a method of determining participation in governance, where ever it is reasonable, through the power of negotiations and the other collective bargaining provisions.

Please support the right's of all classified colleagues to participate and express their views through governance how they decide to do so. Keep community college governance mechanisms a local issue and do not mandate our rights away by the passage of any bill. Please, support the true spirit of why unions were created and rights of the individual by guarding against and group that would propose to take away our free choice.

Current AB1725 Language: "Minimum standards governing procedures established by governing boards of community college districts to ensure faculty, staff, and students the right to participate effectively in district and college governance, and the opportunity to express their opinions at the campus level and to ensure that these opinions are given every reasonable consideration,..."

"Staff should have the choice of how they want to organize and present their views on governance matters. They should have the flexibility to choose how they organize and provide views on governance matters." – Legal Opinion M 90-24, State Chancellor's Office

This is not a statement against unions or any other group or persons; this is a statement against irresponsible leadership wherever it exists.

Classified Senate Officer Training and Leadership

Thoughts to contemplate.

"You must be the change you wish to see in the world." - Mahatma Gandhi

"A learning organization is: A place where, through learning people can continuously re-perceive their world and their relations to it, discovering how they create their reality and their future. - Jayme Rolls

"Leadership has a harder job to do than just choose sides. It must bring sides together." -Jesse Jackson

"I start with the premise that the function of leadership is to produce more leaders, not more followers." -Ralph Nader

"When you get the choice to sit it out or dance, I hope you dance." -Lee Ann Womack

"It is the journey that is important, not the destination."

"Be not afraid of growing slowly; be afraid only of standing still." -Chinese Proverb

"Humankind has not woven the web of life. We are but one thread within it. Whatever we do to the web, we do to ourselves. All things are bound together. All things connect." -Chief Seattle

"Examine what you believe to be impossible, and then change your beliefs." -Dr. Wayne W. Dyer

"Bloom where you are planted." -unknown

"No one can make you feel inferior without your permission." -Eleanor Roosevelt

"It may not be what you achieve, but how you achieved it."

"Play for more than you can afford to lose, and you will learn the game." - Churchill

"Integrity is when what you say, what you do, what you think, and who you are all come from the same place." -Madelyn Griffith-Haynie

"Something we were withholding made us weak . . . until we discovered it was ourselves." -Robert Frost

"When nobody around you measures up, it's time to check your yardstick." -Bill Lemley

"Those who are mentally and emotionally healthy are those who have learned when to say yes, when to say no, and when to say WHOOPEE!" -Willard S. KRabill

"Use what talent you possess. The woods would be very silent if no birds sang except those that sang best." -Henry Van Dyke

"Inside each one of us is a beautiful flower garden. This is the garden of the soul . . . With each lesson we learn, the garden grows. As we learn together, our individual gardens form a tranquil paradise." - Sri Chinmoy

"Give what you have. To someone it may be better than you dare to think." -Henry Wadsworth Longfellow

"Laughing helps. It's like jogging inside." -unknown

"Try not. Do, or do not. There is no try." -Yoda

"When you talk, you repeat what you already know; when you listen, you often learn something." - Jared Sparks

"Every fight is one between different angles of vision illuminating the same truth." -Mahatma Ghandi

"Four rules of life: Show up Pay attention Tell the truth Don't be attached to the results." - Angeles Arrien

"The greatest problem in communication is the illusion that it has been accomplished." -Daniel W. Davenport

"If the person you are talking to doesn't appear to be listening, be patient. It may simply be that he has a small piece of fluff in his ear." -Pooh's Little Instruction Book, inspired by A. A. Milne

"The squawking wheel doesn't always get the grease. Sometimes it gets replaced." -Vic Gold

"In times of rapid change learners inherit the earth, while the learned find themselves beautifully equipped to deal with a world that no longer exists." -Eric Hoffer

"Humor prevents hardening of the attitudes." -unknown

"I base most of my fashion taste on what doesn't itch." -Gilda Radner

"I haven't failed. I've found 10,000 ways that don't work." -Thomas Edison

"Problems cannot be solved at the same level of awareness that created them." -Albert Einstein

"SILENT and LISTEN are spelled with the same letters." -unknown

"Where you stumble, make it part of the dance." -unknown

"Luke: I don't believe it!

Yoda: That,....is why you fail." -Star Wars, The Empire Strikes Back

"I'm not lost, I'm exploring." -Jana Stanfield

"When you find yourself judging someone...look for what in yourself you are not yet willing to accept...hold that part of you more gently!" -Robyn Posin

"I always wondered why somebody didn't do something about that. Then I realized I was somebody."
-Lily Tomlin

I learned that it is the weak who are cruel, and that gentleness is to be expected only from the strong. -
Leo Rosten

Behold the turtle. He only makes progress when he sticks his neck out. - James Bryant Conant

Too often we are scared.
Scared of what we might not be able to do.
Scared of what people might think if we tried.
We let fears stand in the way of our hopes.
We say no when we want to say yes.
We sit quietly when we want to scream.
And we shout with the others,
When we should keep our mouths shut.
Why? After all, we do only go around once.
There's really no time to be afraid.
JUST DO IT.
- Nike ad

"Our deepest fear is not that we are inadequate.
Our deepest fear is that we are powerful beyond measure.
It is our light, not our darkness, that most frightens us.
We, ask ourselves, who am I to be brilliant, gorgeous, talented and fabulous?
Actually, who are you not to be?
You are a child of God. Your playing small doesn't serve the world.
There's nothing enlightened about shrinking so that other people won't feel insecure around you.

We were born to make manifest the glory of God that is within us.
It's not just in some of us; it's in everyone.
And as we let our own light shine, we unconsciously give other people permission to do the same.
As we are liberated from our own fear, our presence automatically liberates others."
- 1994 Inaugural Speech, Nelson Mandela

"May I become at all times, both now and forever
A protector for those without protection
A guide for those who have lost their way
A ship for those with oceans to cross
A bridge for those with rivers to cross
A sanctuary for those in danger
A lamp for those without light
A place of refuge for those who lack shelter
And a servant to all in need."- Tibetan Prayer

"Understanding is the ability to see life through another's eyes"

"In this world there is nothing softer or thinner than water. But to compel the hard and unyielding, it has no equal. That the weak overcomes the strong, that the hard gives way to the gentle – This everyone knows, yet no one acts accordingly." – Lao-Tzu

"He who smiles rather than rages is always the stronger." – unknown, Japanese source

"Peace is inevitable to those who offer peace." – from "A Course in Miracles"

"The quieter you become, the more you can hear." -- Baba Ram Dass

What makes an affective leader?

Recollections from May 1997
Classified Leadership Institute

The following list of leadership characteristics was generated by the participants at a general session of the Classified Leadership Institute. The participants were asked the question: **What makes an affective leader?** For those characteristics which were listed by more than one group, the number of occurrences are in parenthesis. It was a strong assumption that an affective leader should possess and routinely attempt to utilize the following characteristics:

Accepts change (2)	Adaptable
Agent of change	Allows people to succeed
Allows people to realize potential and develop (2)	Approachable
Articulate	Assertiveness
Assign positions according to strengths	Awareness
Balance	Bold
Caring	Charismatic (2)
Clear vision of what is to be achieved	Coach
Committed	Communicate effectively (9)
Compassionate (3)	Competence
Considerate (2)	Consistent (4)
Cooperation	Courageous (2)
Creative (7)	Credible
Culturally aware	Decision maker (4)
Decisive (7)	Dedicated / hard working
Delegator / able to let go (10)	Dependable (4)
Diplomatic (2)	Empathetic (2)
Empowering	Encourages autonomy
Encouraging	Enthusiastic (4)
Equality	Ethical
Even-tempered (2)	Exercise good judgment
Explores creative solutions	Facilitator (2)
Fair (12)	Fearlessness
Firm	Flexible (6)
Follow through (3)	Follower
Forgiving	Generous
Get dirty - "can do" attitude	Gives praise / credit / recognition (3)
Guidance / training (2)	Handles adversity & diversity effectively
Handles stress well (2)	Hat rack
Here - is here at Granlibakken	High energy
Honest (5)	Humble
Idea person	Idealistic
Implements / managerial skills	Informed (2)
Initiator	Innovative (2)
Inspiring (2)	Integrity (3)
Interested in others	Inventive

Involved	Knowledgeable / skilled (3)
Knows their jobs as well as co-workers (2)	Knows their own limitations
Knows which battles to fight	Listener / Listening skills (14)
Mentors	Motivator (9)
Non-discriminatory	Non-judgmental (2)
Nurturer	Objective
Open	Open minded (4)
Open minded to ideas & suggestions - no favoritism	Organizational skills / organizer (7)
Organized (5)	Others oriented
Patient (2)	People oriented
People skills (3)	Perseverance
Persistence	Personable (2)
Persuasive	Planning (be good at)
Positive attitude (3)	Problem-solver (2)
Professional	Provides focus
Provides recognition	Public speaking skills
Reasonable	Rebelistic
Receptive	Recognize talent - use & reward
Resilient	Resourceful (2)
Respected (2)	Respectful (3)
Respectful to others (2)	Responsible (3)
Role model (2)	Sane
Self confidence (2)	Sense of control and autonomous
Sense of humor (5)	Sense of timing
Sensitive (2)	Sincere
Smiles a lot (2)	Speak up! don't mumble
Stamina	Stands up for her/his people
Stress-manager	Supportive (4)
Sympathetic	Tactful
Teacher	Team builder / member (3)
Team player (2)	Thick skin
Tolerant (2)	Trust building
Trusting	Trustworthy (3)
Unbiased (2)	Understanding (6)
Understands staff's individual abilities	Versatile
Visionary (8)	Willing to compromise (2)
Willing to make a decision and stand by it / them	Willing to try new things / take risk

Classified Handbooks and Newsletters

The 4CS Library contains a variety of governance related documents, examples of classified senate constitutions and other materials including handbooks and newsletters from the various colleges.

4CS is collecting samples of classified handbooks and newsletters to share with members. Please send us copies of your work that you would like shared with others across the state.

If you want examples of these materials to see what your colleagues have done and how they have approached the tasks, please contact your Area Representative and request what you need.

The Brown Act and Classified Senates

Where to get information:

Consult with your local College and/or District, first, for information and regulations. Classified Senates generally comply with the basic provisions of the Brown Act because it is good practice and promotes openness and improved understanding. Classified Senates are usually considered governance committees, many of which are approved by the local Board of Trustees, a public body. Classified Senates, unlike the exclusive representatives (unions) do not have the authority to have closed sessions. If after contacting your local administrative offices, you would still like more information, contact your local 4CS Area Representative.

Fundraising Ideas for Classified Senates

Many Classified Senates receive no direct financial support or limited financial support to conduct their activities, projects and business. There is a variety of financial support issues and methods which exist across the state at the various community colleges and districts. Often Classified Senates work with other governance-related committees, staff development committees, local union organizations and other community groups to accomplish what is needed, and often they conduct fund-raising activities to fund their projects. Many of the ideas listed below do more for the college, its staff and communities than just earn money for the senate. Your local staff development offices may also have fund-raising ideas as well as any of your staff who work with other volunteer agencies and groups.

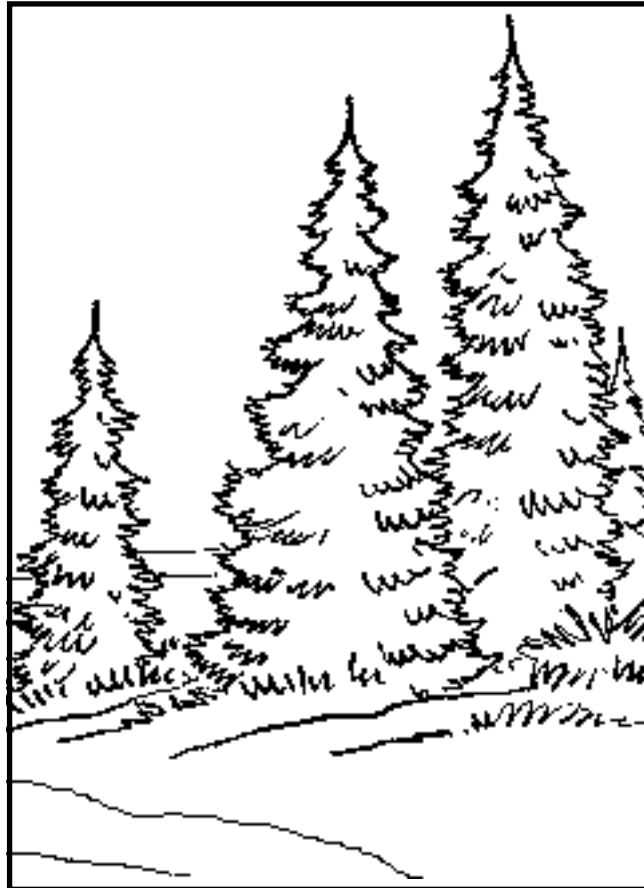
4CS has collected many creative ideas that have been used to raise funds and will work to share them with you. Request of your Area Representative any information that 4CS has for your senate's use.

Examples:

- Creating special “thank you” events and activities that may include selling of balloons, flowers or special items (provide by your local classified senate) for occasions like Christmas and Valentine’s Day.
- Creating and selling a staff or college “cook book” – a collection of the staff’s favorite recipes.
- (Don’t forget to establish and encourage voluntary, payroll deductions from those who wish to support the Senate on a regular basis.)
- Special dinners, picnics, potlucks and celebrations where you can charge for food, special activities and fun contests.
- Sponsoring or co-sponsoring special guest speakers or educational presentations (for a reasonable admission price).
- Some local and supportive businesses may be able to assist you in fund-raising activities, such as donating materials to a silent auction event. Silent auctions which receive donated materials, perhaps crafts or art produced by your students and/or staff, can be held in coordination with other college activities, as appropriate.
- Consider what is popular by folks in your community and provide events that involve that activity, perhaps sponsor an educational trip to a museum, theatre, or “fun place”. Many public theme parks, museum, art galleries and other places may have a lower group rate and provide special access or service to groups.
- Work with your college’s foundation and your union to sponsor a garage sale event on a weekend. Charge per group for folks to sell their “stuff” and advertise in the local area to bring the community to your campus.
- There are commercial companies which will make special arrangements with schools to sell their products as fund-raisers.

Be sure to check with your local college and district policies before conducting any fund-raising activities. Involve as many folks in the positive activity or efforts and build better relationships as you work together. Try different ideas until you find a combination of events and efforts that fit with your institution and provide the senate with the funds you need for activities, scholarships, or ???

4CS INFORMATION



Statewide Network of Classified Staff

4CS is the statewide classified senate representing all of California's Community Colleges' classified staff. It is the only organization that serves the professional interests of this group of dedicated individuals. In agreement with our 4CS Bylaws, we are governed by an elected Executive Board which includes officers and the Area Representatives which meet a minimum of four times per year. The Area Representatives have as their primary responsibility to serve as the two-way communication links between the 4CS Executive Board and its member senates (the individual District's classified shared governance bodies).

We continue to increase our associations with other community college organizations and increase our involvement in statewide issues surrounding our community college system. In appreciative conjunction with the Community College League of California (CCLC) we organize, sponsor and coordinate the Classified Leadership Institute (CLI), a professional three day conference specifically for the state's community college classified staff. The Institute is in its ninth year (as of 2001) of successful operation, providing classified staff from across the state with a supportive environment to learn, share and explore their leadership potential. We have also been an active participant in CCLC's Annual Convention and other conferences by our attendance and by providing numerous sessions for their participants, which includes many classified, to attend.

In addition, 4CS publishes various bulletins, documents and newsletters and distributes these by email, listservers and paper mail. Our members provide expertise and assistance upon request to the community colleges' classified senates as they deal with local shared governance issues. In so doing, we advocate active and responsible participation in their own governance structures. We successfully provide communication on issues and ideas that are of importance to classified staff and the state's community colleges and their districts. We are the state-wide senate for the classified staff of California's Community College System. We have a new web site to enhance access between all of our members and to improve our overall communications throughout the State. Come "visit" our new and still growing web site at <http://www.ccccs.org>. Current contact information on how to reach the 4CS Executive Board and your Area Representatives is available on the web site as well as links to other community college organizations.

Classified participation in governance is becoming a unique and socially significant bullet in the list of California's Community College System's accomplishments and strengths. The emergence of senates and classified staff as contributing members of governance, has a high potential to infuse new life, ideas and energy within the community college system. In many ways, the maturing of classified's involvement in governance activities (mandated and strengthened by AB1725) is an untapped resource for the system's leadership to assist in making effective and positive changes for our students and communities. It also stands as a testimony of the system's commitment to equality and the hunger for new ideas, accountability and integrity and to improving its service to its' diverse students.

All groups associated with California's Community College System must work together in order to meet the educational needs of our students and communities with exceptionally high, quality service. We are working toward that end.



California Community Colleges Classified Senate

4CS INTRODUCTION INFORMATION

Who

- California Community College Classified Professional Organization
- The Statewide California Community Colleges Classified Senate
- Shared Governance Organization of Member Classified Senates
- Organized with a Twenty-one Member, Volunteer, Elected Executive Board
- Advocate for Shared Governance within the Community College System
- Serving the Classified Staff and Community College System Since 1994

Why

- Dedicated to the California Community College Student Success
- Represent Community College Classified Staff's Shared Governance Interests
- Support the Concepts of an Educated Community
- Assist the State's Governmental and Higher Educational Officials
- Promote Staff Development, Leadership, Growth and Sharing
- Support the Mission of the California Community College System

What

1. We Are Your Neighbors, Residing Throughout All Regions of California
2. We Are Classified Staff as Defined by Section 88003, (1a) Ca. Ed. Code
3. We Are the Largest Group of CC Permanent Employees - The Classified Staff
4. We Are an Invaluable California Community College Information Resource
5. We Are an Incredible Variety of Academic Expertise and Technical Skills
6. We Are Significant to the Success of the California CC System's Students

How

- Communicate by E-mail, Letters, Publications, Newsletters, Voice
- Co-Sponsor the Annual Classified Leadership Institute (CLI) with CCLC in June
- Maintain the 4CS Website and Personal Contacts for Sharing Information
- Meet Regularly as an Executive Board and with the General Membership
- Travel to California's Community Colleges and Senates to Share Ideas
- Contact Your Executive Board Officers and Area Representative for Information

4CS Web site and Contact Information: <http://www.ccccs.org>

"We, the Classified Staff of the California Community Colleges, do hereby establish the California Community Colleges Classified Senate in order to promote the best interests of higher education in the State, and facilitate effective participation of classified colleagues at the State level." - 4CS Bylaws

California Community Colleges
Classified Senate

“...recognizes
the value of higher education
in the State of California...”

We, the Classified Staff of the California Community Colleges, do hereby establish the California Community Colleges Classified Senate in order to promote the best interests of higher education in the State, and facilitate effective participation of classified colleagues at the State level.

Mission Statement

The California Community Colleges Classified Senate (4CS), constituted as a voluntary membership body of appropriately recognized shared governance bodies, colleges, and districts which recognizes the value of higher education in the State of California, sees its mission as:

- Advocating the value and contributions classified staff provide to the learning environment;
- Providing quality service to promote student success;
- Cooperating with other organizations in the interest of enriching the educational environment of the California Community Colleges;
- Serving as a liaison between the California Community Colleges’ senates;
- Promoting the participation of classified staff in shared governance at the State and local levels; and
- Developing and supporting classified senates at the local level.

California Community Colleges Classified Senate

Purpose Statement

The specific purpose of this Non-Profit Corporation shall be to represent the Classified Staff of the California Community College System for participation in governance and to support the Mission of the California Community College System.

The expanded purposes of the 4CS shall be to:

- Promote the classified staff of the California Community Colleges on all non-collective bargaining issues.
- Provide classified staff with a formal voice in determining institutional policies of statewide concern.
- Make recommendations on statewide matters affecting the California Community Colleges, as appropriate.
- Communicate to the Chancellor of the California Community Colleges the needs, concerns, viewpoints, and recommendations developed by the 4CS.
- Promote and facilitate the sharing of ideas, techniques, and experiences of its members by publishing and distributing bulletins, minutes and other appropriate materials.
- Assist in the development and strengthening of local shared governance bodies, as well as support the formation of local senates.
- Promote and support networking activities.
- Provide an opportunity to develop individual leadership in the classified staff, and increase the professional standards of its members.
- Address concerns as requested by its membership.

Organizational Structure – 4CS Region & Area List



CALIFORNIA COMMUNITY COLLEGES CLASSIFIED SENATE

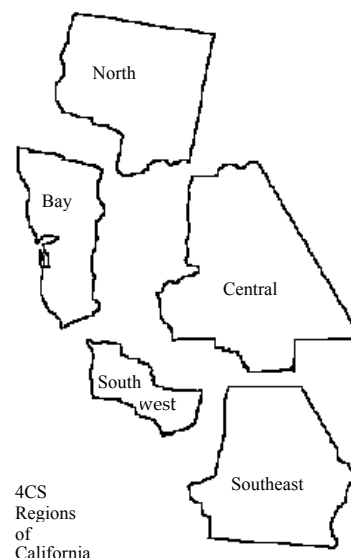
4CS REGIONS AND AREAS LIST

2000-2001

4CS Organization - Regions and Areas

The State of California and its Community Colleges are divided into five representational "regions" for the organizational purposes of 4CS membership and governance representation. The five regions are named North, Bay, Central, Southwest and Southeast. Each region is divided into three "areas", for example North 1, North 2, and North 3. The size of the area is based upon the district population, number of colleges, and the distances between colleges.

Each area has an Area Representative that serves as a liaison between 4CS and its members, the local classified senates. Each Area Representative serves on the 4CS Executive Board as your elected representative.



<p>NORTH 1</p> <p>Butte College College of the Redwoods College of the Siskiyous Feather River College Lassen College Shasta College</p>	<p>NORTH 2</p> <p>American River College Cosumnes River College Los Rios CC District Sacramento City College</p>	<p>NORTH 3</p> <p>Lake Tahoe Comm. College Sierra College Yuba College</p>
<p>CENTRAL 1</p> <p>Columbia College Modesto Jr. College San Joaquin Delta College Yosemite CC District</p>	<p>CENTRAL 2</p> <p>College of the Sequoias Fresno City College Reedley College Merced College State Center CC District West Hills College</p>	<p>CENTRAL 3</p> <p>Bakersfield College Cerro Coso Comm. College Kern CC District Porterville College Taft College</p>

BAY 1	BAY 2	BAY 3
<p>Chabot College Chabot-Los Positas CC District College of Alameda Contra Costa CC District Contra Costa College Diablo Valley College Laney College Las Positas College Los Medanos College Merritt College Peralta CC District Solano Community College Vista College</p>	<p>Canada College College of Marin College of San Mateo Napa Valley College City College of San Francisco San Mateo CC District Santa Rosa Jr. College Skyline College</p>	<p>Cabrillo College De Anza College Evergreen Valley College Foothill College Foothill-De Anza CC District Gavilan College Hartnell College Mendocino College Mission College Monterey Peninsula College Ohlone College San Jose City College San Jose/Evergreen CC Dist. West Valley College West Valley-Mission CC Dist.</p>
SOUTHWEST 1	SOUTHWEST 2	SOUTHWEST 3
<p>Compton College East Los Angeles College El Camino College Los Angeles CC District Los Angeles City College Los Angeles Harbor College Los Angeles Mission College Los Angeles Pierce College Los Angeles Southwest College Los Angeles Trade-Tech Los Angeles Valley College Santa Monica College West Los Angeles College</p>	<p>Allan Hancock College Antelope Valley College College of the Canyons Cuesta College Moorpark College Oxnard College Santa Barbara City College Ventura College Ventura CC District</p>	<p>Cerritos College Citrus College Glendale Community College Mt. San Antonio College Pasadena City College Rio Hondo College</p>
SOUTHEAST 1	SOUTHEAST 2	SOUTHEAST 3
<p>Cuyamaca College Grossmont College Grossmont/Cuyamaca CC Dist. Imperial Valley College Mira Costa College Palo Verde College Palomar College San Diego CC District San Diego City College San Diego Mesa College San Diego Miramar College Southwestern College</p>	<p>Coast CC District Coastline Community College Cypress College Fullerton College Golden West College Irvine Valley College Long Beach City College North Orange CC District Orange Coast College Rancho Santiago CCD Saddleback CC District Saddleback College Santa Ana College Santiago Canyon College</p>	<p>Barstow College Chaffey College College of the Desert Copper Mountain College Crafton Hills College Mt. San Jacinto College Riverside Community College San Bernardino CC District San Bernardino Valley College Victor Valley College</p>

4CS Representational Map



4CS
Areas
of
California

The State of California has been divided into five representational regions for the organizational purposes of 4CS. The five areas are North, Bay, Central, Southwest and Southeast. The size of these areas are based upon the populations, number of colleges, and the distances between colleges.



California Community Colleges Classified Senate

4CS Board of Directors

A Current list of 4CS officers, Area Representatives, Associates and any vacant positions that may exist can be found on the 4CS web site.

<http://www.ccccs.org>

4CS General Membership List

(as of June 2001)

Allan Hancock College	Los Medanos College
American River College	Mendocino College
Bakersfield College	Merced College
Butte College	Merritt College
Canada College	MiraCosta College
Cerro Coso Community College	Mission College
Chabot College	Moorpark College
Chaffey College	Mt. San Antonio College
City College of San Francisco	Mt. San Jacinto College
Coastline Community College	Ohlone College
College of Alameda	Orange Coast College
College of Marin	Oxnard College
College of the Canyons	Pasadena City College
College of the Desert	Peralta CCD
College of the Redwoods	Peralta District Office
Columbia College	Rancho Santiago CCD
Contra Costa CCD (office)	Reedley College (Kings River)
Contra Costa College	Sacramento City College
Copper Mountain College	Saddleback College
Cosumnes River College	San Bernardino Valley College
Crafton Hills College	San Diego City College
Cypress College	San Diego Mesa College
De Anza College	San Diego Miramar College
Diablo Valley College	San Joaquin Delta College
East Los Angeles College	San Jose City College
El Camino College	Santa Ana College
Evergreen Valley College	Santa Barbara City College
Feather River College	Santa Monica College
Foothill College	Santa Rosa Junior College
Fresno City College & SCCC	Santiago Canyon College
Glendale Community College	Sierra College
Grossmont-Cuyamaca CCD	Skyline College
Hartnell College	Solano Community College
Imperial Valley College	South Orange County CCD
Irvine Valley College	Southwestern College
Lake Tahoe Community College	Ventura College
Laney College	Vista College
Las Positas College	West Valley College
Long Beach City College	Yuba College
Los Angeles Mission College	

California Community Colleges Classified Senate

Web site

<http://www.ccccs.org>



CALIFORNIA COMMUNITY COLLEGES
CLASSIFIED SENATE

[Our Purpose](#)

[Activities](#)

[Publications](#)

[Contacts](#)

Welcome to the California Community Colleges Classified Senate web site. Within these pages you will find information related to our mission and activities. Please click on a button to proceed with your visit. If you would like to contribute suggestions on resources and community college related material, or to 4CS, please e-mail us at webmaster@cccs.org. Thank you.

Netscape Navigator/Communicator 4.+ or Internet Explorer 4.+ are recommended browsers for successful interaction with this site (some browsers may have problems with advanced features).

Proposed Vision, Mission, Goals and Objectives

California Community Colleges Classified Senate

Vision / Mission / Goals - 4CS Planning Session

(Includes the work of the Task Force)

March 3, 2001

Introduction

It has been ten years since the first organizational meeting that began shaping 4CS as an organization to represent classified staff in governance at the state level. In November of 1994, six year and almost 4 month ago, the organization started work with its very first elected Executive Board. During that time we have discussed and solicited goals from our members and once revised the mission statement from the initial version. It is now time to seriously assess our history and accomplishments, to where we have come, and for the people we represent plan our future directions. Perhaps because of our accomplishments in the past, our members have allowed us to change the organization from its beginnings. Once the "power to direct" is held primarily by the members; we waited months for meetings to give us authorization. Now the organization, directed by you as their representatives, can potentially change quickly for the better or worse and be more efficient and responsive in meeting the needs of your members. You, as the Board of Directors, have the "power" and responsibility to be the directors and the custodians of the organization. The purpose of this document is to help us in this task and responsibility. We must know where we want to go, to even take our next small step in the right direction.

From these discussions and activities, many benefits including a combined sense of purpose, organizational focus, increased teamwork, better levels of communication, re-energizing our members, improving effectiveness and visibility, planning for the future, clarifying our voice, and building new relationships are a few of the many possible outcomes.

As Bennis and Nanus (1986) and Deal and Peterson (1994) point out, the vision and mission must be clear, engaging, and attainable. "To be motivating, it must touch deeper values and hopes."

"The organization's vision can incorporate values and goals related to equity and justice, respect and appreciation for multiculturalism and diversity and concern for the academic success of all students, among other core values. These views of the organization determine how people spend their time, what problems they solve, and how resources are distributed. Moreover, a clear understanding of the school's vision and mission statement may lead to greater involvement and support. Thus, having a clearly defined and communicated vision supports active improvement and accomplishment."

As a non-profit corporation, 4CS must keep its primary focus on improving the health of the community college system for the benefits that will result for the public (students and all of us in the communities in which we live).

Our Articles of Incorporation states the following: "The specific purpose of this corporation shall be to represent the Classified Staff of the California Community College System for participation in governance and to support the mission of the California Community Colleges System."

During our meeting, I am going to propose that we list words and phrases that we might want to include in our documents and language, as one of many methods to accomplish our tasks.

DEFINITIONS

Vision

What do we want or envision as the future of our society and the community college system within it to become. What is the value of education for our society, how do you want society to change in the future, and what values should our society embrace.

"A vision means an image of what the organization can and should become. It is deeply embedded in values, hopes, and dreams."

Bennis and Nanus (1986, p. 89), two of the classic writers on leadership, describe how vision functions: "To choose a direction, a leader must first have developed a mental image of a possible and desirable future state of the organization. This image, which we call a vision, may be as vague as a dream or as precise as a goal or mission statement. The critical point is that a vision articulates a view of a realistic, credible, attractive future for the organization, a condition that is better in some important ways than what now exists."

Mission

How does the community college system and 4CS play a role in creating and driving that change as described in our vision statement. What do we believe is the role of 4CS and its members in helping our society and the community college system to become what we envision. Is our mission statement concise and clearly indicated the role that 4CS should play in reaching our vision.

A mission statement is more specific and often defines what the organization is trying to accomplish and for whom. It can be developed from the vision itself, for instance, it can be centered on student learning and services. But, it can also concentrate on establishing a professional work environment that supports collegiality, improvement and professional growth, and an understanding of the importance of diversity, equity and respect in the work place.

Goals

What directions can 4CS take to accomplish our Mission and therefore to realize our Vision. Goals and objectives are still more specific and concrete, are derived from the vision, and can be used to focus change and improvement efforts.

Objectives

Do we have the specific, workable and sequential steps clearly delineated that will successfully allow us to create a trail of successful actions, which will lead to achieving our goals in a reasonable time frame.

PROPOSED VISION STATEMENT - DRAFT

Community Colleges in California will work together as a system to provide the greatest access and opportunity to the students and communities they serve. The system will recognize all employees and utilize their contributions and insight to enhance the services we provide.

By doing so we will create a better society, one which values fairness, honesty, equality, and cooperation, and a society that respects the worth of all beings, their unique perspectives and their potential to contribute to the good of our community.

PROPOSED MISSION STATEMENT - DRAFT

California Community Colleges Classified Senate promotes the valuable contributions made by classified staff in creating an environment that will lead to the greatest level of student success.

4CS provides a statewide coordination, sharing, voice, communications and creative leadership in a sincere effort to build respect for classified contributions statewide and to support California Community College System for all communities.

CURRENT 4CS MISSION STATEMENT

The California Community Colleges Classified Senate (4CS), constituted as a voluntary membership body of appropriately recognized shared governance bodies, colleges, and districts which recognizes the value of higher education in the State of California, sees its mission as:

- Advocating the value and contributions classified staff provide to the learning environment;
- Providing quality service to promote student success;
- Cooperating with other organizations in the interest of enriching the educational environment of the California Community Colleges;
- Serving as a liaison between the California Community Colleges' senates;
- Promoting the participation of classified staff in shared governance at the State and local levels; and
- Developing and supporting classified senates at the local level.

CURRENT 4CS PURPOSE STATEMENT

The specific purpose of this Corporation shall be to represent the Classified Staff of the California Community College System for participation in governance and to support the mission of the California Community College System.

The expanded purposes of the 4CS shall be to:

- Promote the classified staff of the California Community Colleges on all non-collective bargaining issues.
- Provide classified staff with a formal voice in determining institutional policies of statewide concern.

- Make recommendations on statewide matters affecting the California Community Colleges, as appropriate.
- Communicate to the Chancellor of the California Community Colleges the needs, concerns, viewpoints, and recommendations developed by the 4CS.
- Promote and facilitate the sharing of ideas, techniques, and experiences of its members by publishing and distributing bulletins, minutes and other appropriate materials.
- Assist in the development and strengthening of local shared governance bodies, as well as support the formation of local senates.
- Promote and support networking activities.
- Provide an opportunity to develop individual leadership in the classified staff, and increase the professional standards of its members.
- Address concerns as requested by its membership.

CURRENT 4CS PREAMBLE STATEMENT

We, the Classified Staff of the California Community Colleges, do hereby establish the California Community Colleges Classified Senate in order to promote the best interests of higher education in the State, and facilitate effective participation of classified colleagues at the State level.

PROPOSED GOALS - DRAFT

- *To work in a spirit of cooperation with other higher education organizations in enriching the educational environment of California Community Colleges*
- *To serve as a liaison and facilitate communication between local college senates*
- *To promote the participation of classified staff in shared governance at the State and local levels*
- *To promote professionalism and collegiality*

PROPOSED OBJECTIVES - DRAFT

- *Increase public awareness of the existence and role of 4CS through concentrated public relations efforts*
- *Achieve legislative recognition*
- *Move from an observer's role to being an active participant in the Community College Consultation process*

- *Secure a senate related seat on the California Community Colleges Board of Governors*
- *Build positive working relationships with all classified employee labor groups*
- *Increase the organizational effectiveness of 4CS*

PREVIOUSLY SUBMITTED GOALS & OBJECTIVES
BY OUR MEMBERS AND IN OUR DISCUSSION
 (collected from previous documents)

- Achieve legislative recognition
- Affect legislation / Education Through Empowerment
- Assist senates and unions in resolving their issues in order that they can work together
- Build a relationship with the Academic Senate and Student Senate
- Classified representation on the Board of Governors.
- Classified Seat on Board of Governors
- Contact the statewide, classified staff, labor groups to promote collegial, positive relationships with 4CS in hopes of better serving the needs of our staff, students and Community College system.
- Continue to build positive relationships with Academic Senate and Student Senate as well as other community college organizations
- Enhance Communications
- Establish Legal Advisory Team
- Flow of communication
- Flow of communication - newsletter, info net, CSU net
- Help/guide new senates
- Improve the organization and effectiveness of 4CS
- In general, continue to build partnerships, make contributions, and share responsibility
- Increase participation in 4CS by those colleges not participating currently
- Increase the quality and quantity of communication between colleges and 4CS, especially among the Classified Staff
- Leadership Development
- Legal advise
- Legislative committee liaison
- Membership fees
- Mentoring

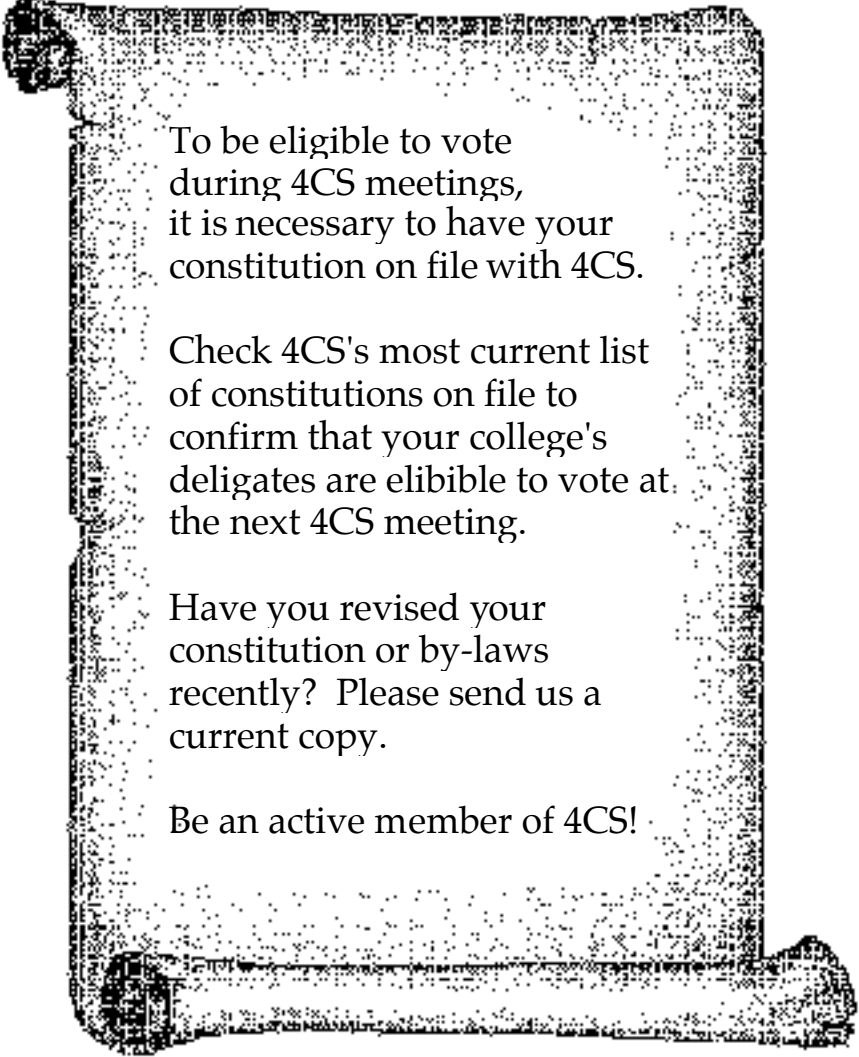
- Mentoring Program
- Motivate each other
- Office / phone number for 4CS;
- Participate in the CC Consultation process and statewide committees/taskforces
- Participate in the consultation process and statewide committees
- Participation on a professional level
- Professional Development
- Promote Professionalism
- Promote professionalism among classified;
- Promote the use of technology including teleconferencing and video-links
- Provide educational opportunities
- Recognition in Title V and Ed Code
- Resource Base
- Secure a senate related seat on the CCC Board of Governors
- Set up subcommittees
- Staff Development Activities
- Support the concept of Global Agenda for the Community College system
- Technical Communication
- Work out issues between senates and unions

4CS Committees

The following standing committees shall perform functions as set forth by the 4CS Executive Board. Other standing committees may be formed as the need arises by the Executive Board.

- Communication and Contact Development Committee
- Conference Development Committee
- Bylaws Committee
- Foundation/Fundraising Committee
- Legislative Awareness Committee
- Library/History/Data Collection Committee
- Nominations and Elections Committee
- Publications and Web Site Committee
- Staff Development Committee

4CS Executive Board – Elections Procedures and Sample Forms



To be eligible to vote during 4CS meetings, it is necessary to have your constitution on file with 4CS.

Check 4CS's most current list of constitutions on file to confirm that your college's delegates are eligible to vote at the next 4CS meeting.

Have you revised your constitution or by-laws recently? Please send us a current copy.

Be an active member of 4CS!

Sample Forms: Delegate & Letter of Intent Forms

Caution:

The sample forms provide here are only a sample to alert you to their presence and the procedures necessary to participate in 4CS business. These samples may be soon out of date, and you must contact one of the members of 4CS for current versions of these forms as needed. Thank you.



CALIFORNIA COMMUNITY COLLEGES CLASSIFIED SENATE

April 28, 2001

Dear Classified Staff Members, Classified Senate Presidents / Classified Community College Leaders:

This letter is to inform you that at the upcoming 4CS General Business Meeting in June, we anticipate action items that include, at least, Executive Board elections. The appropriate forms and information concerning the upcoming elections are attached. Additional forms can be obtained or emailed to you by requesting them (addresses at the end of this letter) or possibly found on our website. The recommended documents include a copy of the current 4CS Area List, Delegate Form, and the Letter of Intent Form.

Currently we are updating our records and would appreciate an email from your current Senate President with their email or contact information, if you have not done so this year.

The 4CS Nominations and Elections Committee is recruiting Executive Board members for year 2001, 4CS Executive Board. Candidate qualifications and election procedures are outlined on the "Letter of Intent" form and on the 4CS Website (<http://www.ccccs.org>). Election procedures will reach completion at the 4CS General Business Meeting, held during the 9th Annual Classified Leadership Institute at Granlibakken Conference Center in Tahoe City, California. If you or someone you know is interested in running for 4CS Executive Board positions, please have them fill out the necessary paper work and submit by the deadlines stated in the attached Letter of Intent. Only currently employed classified staff from 4CS General Member colleges or districts can qualify.

If you are considering running for a representative office, it is a position that requires commitment and dedication. The 4CS Executive Board has four regularly scheduled meetings a year. The first Fall 4CS Executive Board meeting is usually in September and hosted by one of the senates and its college in the northern region of the state. The second, Winter 4CS Executive Board meeting is held during the CCLC Annual Convention in November. The third, Spring 4CS Executive Board meeting, is hosted by a senate and its college in the southern region of the state. We hold the fourth meeting during the Classified Leadership Institute at Granlibakken Conference Center in Tahoe City, California. In addition, there are two General Business / Membership Meetings each year, held during the CCLC Convention and at the Classified Leadership Institute. All meetings are equally important and does require the board member's attendance.

Besides attending the meetings, it is your responsibility to communicate information to and from the campuses that you represent. This is not an easy task, but it is an essential component of the position. A longer description of the duties and responsibilities of all e-board position can be found on the 4CS Website at <http://www.ccccs.org>.

The position itself is a most rewarding one. You meet, network and work with talented classified, faculty, administrative and legislative individuals throughout the State of California to improve the California Community Colleges System for its students and communities. You will have the opportunity to promote excellence and communications among the classified staff of all of the California Community Colleges and to help others with similar interests in building a healthy and responsive higher educational system. The position is exciting, challenging, fun and as diverse as you make it, as well as a lot of work.

All of the other members of the board have enjoyed their tenure on the board and look forward to the positive future of 4CS as it grows. If you need more information regarding this commitment letter, to confirm or discuss your membership with 4CS, or any other related 4CS questions, please do not hesitate to contact any current member of the 4CS Executive Board. These materials apply only to members of 4CS. Thank you.

Sincerely,

(from the President, & the Chair, 4CS Elections and Nominations Committee)



CALIFORNIA COMMUNITY COLLEGES CLASSIFIED SENATE

LETTER OF INTENT

(One Letter Of Intent accepted per Candidate.)

CANDIDATE INFORMATION

NAME: (First) _____ (M.I.) _____ (Last) _____

NAME OF COMMUNITY COLLEGE or CC DISTRICT EMPLOYED AT: _____

MAILING ADDRESS: _____

NAME OF THE LOCAL "SENATE": _____

EMAIL ADDRESS: _____

TELEPHONE (Day): (_____) _____ FAX NUMBER: (_____) _____

Elections for the following 4CS Executive Board Positions will be conducted this Spring for positions opening this June: Area Representatives for North 2, North 3, Central 1, Central 3, Bay 2, Southeast 1, Southeast 2, Southeast 3, Southwest 2, and the offices of 2nd Vice President and Treasurer. Each position is a two year term.

For more information on the 4CS Executive Board duties, benefits, responsibilities and eligibility requirements, see the 4CS Website at: <http://www.ccccs.org> or contact any current board member. Areas served by each position and other important information about 4CS can also be found on the website.

ELIGIBILITY / QUALIFICATIONS / LETTER OF INTENT CHECKLIST:

(All items need to be completed as indicated for Letter of Intent to be valid.)

Please check as appropriate and completed:

- Current copy of Local Senate's Constitution/Bylaws attached (showing shared gov. role).
- Currently an active member of the local classified senate, **or**
- Have been a local senate delegate (to 4CS Meetings), **or**
- Have been a member of the 4CS Executive Board within three years immediately preceding this election.
- Able to conduct and participate within numerous 4CS activities and meetings which may require financial resources (personal and/or college support).**
- Brief statement attached of (1) why you are interested in serving on the 4CS Board and (2) your recent history of experiences serving in participatory (shared) governance related positions and activities.

I AM APPLYING TO FILL THE FOLLOWING VACANT POSITION:

Area Representative Positions - Candidates for Area Representative can come from any 4CS General Member college or district and serve in any "Area" (Area 1,2, or 3 within their college's geographical "Region" (North, Bay, Central, Southwest, or Southeast).

CHECK ONE:

- | | | |
|--------------------------------------|--------------------------------------|--------------------------------------|
| <input type="checkbox"/> North 2 | <input type="checkbox"/> North 3 | <input type="checkbox"/> Central 1 |
| <input type="checkbox"/> Central 3 | <input type="checkbox"/> Bay 2 | <input type="checkbox"/> Southeast 1 |
| <input type="checkbox"/> Southeast 2 | <input type="checkbox"/> Southeast 3 | <input type="checkbox"/> Southwest 2 |

(OR)

Officer Positions - Candidates for an Officer Position may come from any 4CS General Member college or district. In addition, a candidate for election to an Officer Position must be an active member of the current 4CS Executive Board.

CHECK ONE: 2nd Vice President Treasurer

PROCEDURAL INFORMATION

(additional information located on website: <http://www.ccccs.org>)

Specifically for the Area Representative Positions:

In the event there is only one qualified candidate who submits a "Letter of Intent" by the specified deadline of **May 11, 2001**, said candidate will be declared elected to that Area Representative position after a review of the candidate's qualifications for compliance by the Nominations and Elections Committee. The successful, uncontested candidate will be sworn in on **Friday, June 22, 2001** at the Classified Leadership Institute / 4CS General Session Meeting. You must submit a letter of intent. **LETTERS OF INTENT MUST BE POSTMARKED NO LATER THAN MAY 11, 2001; EMAILS NOT ACCEPTED**, although it is helpful to notify 4CS by email that you are sending in a "Letter of Intent".

Should more than one qualified candidate for an Area Representative position file a "Letter of Intent", the candidates affected will be contacted via telephone and email approximately **May 17, 2001** by the Nominations & Elections Committee. Run-off elections will occur within only the affected specific geographic areas (e.g., North 1, North 3, Central 2, etc.). The Nominations & Elections Committee will mail run-off packets (ballots) to member senates in the Area by **May 22, 2001** via certified mail/return receipt requested. Each member senate within the Area (as of April 27, 2001) will receive one paper ballot / one vote. Deadline for responses (ballots) to be sent to 4CS from the local Senates affected by run-off elections is **June 7, 2001** (must be postmarked no later than June 7, 2001). All elected Area Representatives will be announced and confirmed before and/or during the 4CS General Business Meeting on Friday, June 22, 2001.

Specifically for the open Officer Positions:

You must submit a letter of intent. **LETTERS OF INTENT MUST BE POSTMARKED NO LATER THAN MAY 11, 2001; EMAILS NOT ACCEPTED**, although it is helpful to notify 4CS by email that you are sending in a "Letter of Intent". Voting for the open officer positions will occur during the Classified Leadership Institute 2001, June 20-22, 2001 with a balloting submission deadline by the Call To Order of the 4CS General Business Session at 9:00 a.m. on Friday, June 22, 2001 (specific time may change, consult CLI agenda for changes). Only approved member senate delegates, 4CS Officers and Area Representatives present during the CLI can vote; no proxy votes.

SUBMISSION OF THE LETTER OF INTENT TO RUN FOR THE 4CS EXECUTIVE BOARD

I, the Candidate and the Undersigned, have completed the above information in its entirety and have read and agreed to all the rules and conditions. I hereby submit this letter of Intent to participate in the election process for the office I have indicated.

I have read and understood the expectations and requirements of being an Officer or Area Representative of the 4CS Executive Board, and will perform the duties of this office during my tenure, as described here and on the 4CS Website. I will do all in my power to further the interests and aims of the California Community Colleges Classified Senate.

I understand that the election results will be announced and formalized during the 4CS General Business meeting on Friday, June 22, 2001 at the Classified Leadership Institute 2001 at Granlibakken Conference Center in Tahoe City, California, and will be in attendance at said meeting.

Candidate Signature

Date

To ensure current 4CS membership standing, please attach a copy of your local senate's Constitution/Bylaws.

4CS Letter Of Intent
Submit to 4CS Nominations & Elections Committee via either option described below:

One Letter of Intent accepted per candidate. To be accepted as valid by 4CS, the Letter of Intent must be signed and fully completed by the candidate when submitted. **All MAILED Letters of Intent must be postmarked not later than Midnight, Friday, May 11, 2001. (No exceptions)** For your own safety, it is recommended that you send it certified mail/return receipt requested.

MAIL TO:

Nancy Albrecht, 4CS Secretary
4CS Nominations and Elections Committee
Long Beach City College
4901 E. Carson St.,
Long Beach, Ca. 90808

OR

FAX TO:

Nancy Albrecht, 4CS Secretary
4CS Nominations and Elections Committee
Long Beach City College
Fax: (562) 429-0278

All FAXED "Letters of Intent" (submitted by fax) must be successfully received by 4CS not later than Midnight, Friday May 11, 2001. Only faxes actually received by 4CS and by the deadline will be considered valid and successful submission

We recommend, if faxing, you make appropriate time allowances for fax machine usage by other Senates and ongoing college business. We also recommend that you do not wait until the deadline to send it, and that you call Nancy Albrecht directly to let her know it is coming. We recommend that you receive confirmation by email or fax from Nancy to insure that your Letter of Intent has been successfully received by the appropriate deadline.

Upon receipt of the Letter Of Intent, a faxed or email Confirmation will be sent to both the Candidate and the Candidate's Senate Contact on file with the 4CS by the Nominations & Elections Committee.

* * * * *

For questions or additional information, please contact Nancy Albrecht at
(562) 938-4540 or email her at: nalbrech@lbcc.cc.ca.us



CALIFORNIA COMMUNITY COLLEGES CLASSIFIED SENATE

LOCAL CLASSIFIED SENATE DELEGATE FORM

(last update, March 2001)

4CS must receive completed Delegate Forms by the deadlines described on this form for your Senate to be eligible to vote during the 4CS General Business Meeting on June 22, 2001.

To the 4CS Nominations & Election Committee:

In accordance with the provisions of the 4CS Bylaws, the Classified Senate* members listed herein will be the authorized Delegate(s)** for our local Classified Senate (specified below). As appropriate, the Delegate(s) are authorized by the classified staff at our college or district to fully participate and represent us during the 4CS General Business Meeting on Friday, June 22, 2001. We understand that the 4CS Business Meeting will occur during the 9th Annual Classified Leadership Institute at the Granlibakken Conference Center in Tahoe City, California. We understand that only 4CS Member Classified Senates in good standing, with their Constitution and/or Bylaws accepted (on file) with 4CS and with the delegate form properly completed and submitted to 4CS, will be allowed to vote in any formal business of the day.

Name of Local Senate: _____
Name of Ca. Community College: _____
Name of Ca. Community College District: _____
Name of Classified Senate President (Chair): _____
Senate Contact Phone Number: _____
Senate Contact Fax Number: _____
Senate Contact E-mail Address: _____

Approved Senate Delegate (to 4CS):

First Name: _____ Last Name: _____
Phone Number: _____ Fax Number: _____
E-mail Address: _____

Approved Alternate Delegate :

First Name: _____ Last Name: _____
Phone Number: _____ Fax Number: _____
E-mail Address: _____

As the authorized agent of our local Classified Senate (specified above), I certify that the Delegate names listed on this form are the approved delegates from our member college's or district's senate. They are to serve as our representatives in all 4CS business and actions, as appropriate. I have read and agreed to the 4CS membership requirements as presented on this form and present on the 4CS Website at <http://www.ccccs.org>.

Signature of Classified Senate President

Date: _____

Important information concerning the submission of this 4CS Delegate Form:

*How to submit the 4CS Classified Senate Delegate Form
to 4CS Nominations & Elections Committee via either option shown below:*

OR

MAIL BY "Certified / return receipt" to:
Nancy Albrecht, 4CS Secretary
Long Beach City College
4901 E. Carson St.,
Long Beach, Ca. 90808

FAXED TO to the attention of:
Nancy Albrecht, 4CS Secretary
Long Beach City College
Fax: (562) 429-0278

Submission Deadlines:

IF MAILED OR FAXED,
completed 4CS Delegate Forms must be received by 4CS No later than **FRIDAY, JUNE 8, 2001.**

IF HAND-CARRIED
to the 9th Annual Classified Leadership Institute, it must be successfully delivered to 4CS
on the first day of the Institute, **Wednesday, June 20, 2001.**

Please do not wait until the last minute to submit your Delegate Form. We strongly recommend sending it as described above in ample time to reach 4CS before the deadline. If you choose to hand-carry the Delegate form with you to the Institute, we recommend presenting it to 4CS when you register for the conference, on the first day. Please comply with the deadlines for submission listed above. Do not wait until the last minute.

If faxing, make appropriate time allowances for fax machine usage by other Senates and ongoing college business. Complete Delegate Form accepted per General Member Senate. **Upon receipt of the Delegate form, the 4CS Nominations & Elections Committee will send a faxed Confirmation to the listed Senate's President.**

* * * * *

Submission of local Senate Constitution/Bylaws

To ensure current 4CS membership standing, we recommend sending a copy of the Senate's most recent Constitution and/or Bylaws with your Delegate form. Your documents must demonstrate that your organization is the participatory governance body chosen by the classified staff at your college or district. If you want to confirm the current status of your 4CS General Membership standing, contact Nancy Albrecht, 4CS Secretary by email at: nalbrech@lbcc.cc.ca.us

* * * * *

***Senates** - are defined as the designated participatory or shared governance body for classified at the local level (i.e. associations, councils, classified organizations, committees, etc.)

****Delegate** - Each local general member senate shall appoint a representative, hereinafter called "Delegate", who shall represent that member senate at the 4CS General Session. Delegates must be currently employed as a California Community College Classified Staff member. Delegates shall have full voting rights as described in the 4CS Bylaws and shall have the responsibility of being a liaison between the local member senate, the Area Representative, and the 4CS.

A Brief History of the California Community Colleges Classified Senate (4CS)

- 1990 Laura U'Ren, classified staff from Irvine Valley College, made presentation at the CCLC Annual Convention regarding classified senates.
- 1991 First organizational meeting occurred during the CCLC Annual Conference – the state was split into four sections. Tamara Carnine, classified staff from Irvine Valley College was selected as the key contact person.
Advisory Board:
North - Lena Newman, Butte College and Christina Witkowski, College of San Mateo
Central - Karen Garrett, Merced College and MaryAnne Fry, San Joaquin Delta College
South - Tamara Carnine and Laura U'ren, IVC and Marge Nielsen - Saddleback College
- 1992 In March at the Staff Diversity Conference – the Phone Tree was established, Officers and Reps were selected, Goals and Purposes were discussed. Ad Hoc California Community College Classified Senate was approved and established.
Ad Hoc Committee:
Chair Tamara Carnine – Irvine Valley College
Secretary - Mary Thompson – Chaffey College
Treasurer - Pattie McPhun – Ventura District
Area Representatives: - Victina Bella, West Valley - Betty Crenshaw, Diablo Valley - Theresa Frahm, Los Medanos - Karen Garrett, Merced - Fedrual Harrison, Miramar - Cathy Vent, Ventura - Wendy Link, Columbia - Nancy Matthews, Chaffey - Reggi McCoy, LA Southwest - Paul Mercier, Mt. SAC - Lena Newman, Butte - Sally Smith, San Bernardino Valley - Craig Stenvall, Butte - Catherine Swenson, Sierra - Cari Plyley, Butte.
- 1992 First Constitution and Bylaws drafted in November, by the 4CS Ad Hoc Committee
- 1993 At a general session meeting, CCLC Annual Convention in November, representative delegates from classified senates across the state approved (ratified) the first 4CS Constitution and Bylaws.
- 1994 The first Executive Board of the California Community Colleges Classified Senate was elected by the state's classified senate delegates, in November. David Viar, CCLC Executive Director was invited to install the first officers and representatives. They were as follows: President Mary Thompson, Chaffey College; Regional V.P. Jeffrey Kennedy, Contra Costa, Gloria McLeod, Chaffey College, & Laura U'Ren, Irvine Valley College; Secretary Bea Griffiths, Santa Rosa Jr. College; Treasurer Shirley Schmid, Pasadena City College; Past Chair/AdHoc Committee Tamara Carmine, Irvine Valley College; Area Representatives: (Bay) Mike West from Los Medanos College, Yvonne Lewis from Laney College, Christina Witkowski from College of San Mateo, (Central) Ron Duva from San Joaquin Delta College, Beverly Lencioni from Merced College; (North) Craig Stenvall from Butte College, Vicki Byers from Sacramento City College; (Southeast) Fedrual Harrison from Miramar College, Wesley Goodvin from Southwestern College, Marianne Hatherill from Rancho Santiago; (Southwest) Ed Haines from Pasadena City College, Mary Sandoval from Mt. San Antonio College.

Thank you!

Classified Leaders and 4CS Executive Board Members

Since its beginnings, 4CS has continued to grow in senate members and the following people have served and guided the young organization as Executive Board members. Thank you for your leadership, energies and vision.

Alice Munoz-Shvarts, City College of San Francisco – Area Representative

Bea Griffiths, Santa Rosa Jr. College – Secretary

Ben Bull, Chaffey College – Area Representative

Beverly Joseph, San Diego Miramar College – Area Representative

Beverly Lencioni, Merced College – Area Representative

Blair Brawley, American River College – Area Representative

Bobby Snell, Peralta CCD – Area Representative

Cari Plyley, Butte College – Area Representative

Cari Plyley, Butte College – President Elect

Catherine Mooney, San Joaquin Delta College – Area Representative

Christina Witkowski, College of San Mateo – Area Representative

Craig Stenvall, Butte College – Area Representative

Don Strauch, Sacramento City College – Area Representative

Ed Haines, Pasadena City College – Area Representative

Ed Haines, Pasadena City College – Vice President

Fedrual Harrison, Miramar College – Area Representative

Gail Higgins, MiraCosta College – Area Representative

Gloria McLeod, Chaffey College – Vice President (Regional)

Jeffrey Kennedy, Contra Costa College – Vice President (Regional)

Jim Wilson, Sierra College – Area Representative

Jim Wilson, Sierra College – President

Jim Wilson, Sierra College – President Elect

Joan McClain, City College of San Francisco – Area Representative

Julie Whiting, State Center CCD – Area Representative

Karen Durham, Kings River College – Area Representative

Laura U'Ren, Irvine Valley College – Vice President (Regional)

Laurie Korner, Imperial Valley College – Area Representative

Leo Lieber, Diablo Valley College – Area Representative

Lynda Hays, College of the Redwoods – Area Representative

Marge Catullo, Pasadena City College – Area Representative

Marianne Hatherill, Rancho Santiago College – Area Representative

Marilyn Haines, Fresno City College – Secretary

Mary Anne Fry, San Joaquin Delta College – Area Representative

Mary Sandoval, Mt. San Antonio College – Area Representative

Mary Thompson, Chaffey College – Past President

Mary Thompson, Chaffey College – President

Mike West, Los Medanos College – Area Representative

Nancy Albrecht, Long Beach City College – Secretary

Neal Antwine, City College of San Francisco – Area Representative
Neal Antwine, City College of San Francisco – Treasurer
Pattie Ridenour, Ventura College – Area Representative
Reggie McCoy, LA Southwest College – Area Representative
Ron Duva, San Joaquin Delta College – Area Representative
Rose Gow, Mira Costa College – Vice President
Sandra Bollier, Mt. San Antonio College – Area Representative
Shirley Schmid, Pasadena City College – Area Representative
Shirley Schmid, Pasadena City College – Treasurer
Tamara Carmine, Irvine Valley College – Ad Hoc Committee Chair / “Past President”
Tony Prestby, Santa Monica College – Area Representative
Vicki Byers, Sacramento City College – Area Representative
Vicki Byers, Sacramento City College – Vice President
Wesley Goodvin, Southwestern College – Area Representative
Wesley Goodvin, Southwestern College – Vice President (Regional)
Yvonne Lewis, Laney College – Area Representative

4CS Bylaws (as of June 2000)

**CALIFORNIA
COMMUNITY COLLEGES
CLASSIFIED SENATE**



BYLAWS

(Adopted)
June 23, 2000
4CS Business Meeting
Granlibakken, Tahoe City, California

We, the Classified Staff of the California Community Colleges, do hereby establish the California Community Colleges Classified Senate in order to promote the best interests of higher education in the State, and facilitate effective participation of classified colleagues at the State level.

California Community Colleges
Classified Senate (4CS)
Bylaws

TABLE OF CONTENTS

ARTICLE I - NAME AND ADDRESS OF CORPORATION

- Section 1. Name
- Section 2. Address

ARTICLE II - PURPOSE AND MISSION STATEMENTS

- Section 1. Purpose
- Section 2. Mission Statement

ARTICLE III - MEMBERSHIP AND ELECTORATE

- Section 1. General Membership
- Section 2. Electorate

ARTICLE IV - EXECUTIVE BOARD

- Section 1. Membership
- Section 2. Candidate Qualifications
- Section 3. Election Rules and Procedures
- Section 4. Terms
- Section 5. Dismissals and Resignations
- Section 6. Leave of Absence
- Section 7. Vacancies on the Executive Board
- Section 8. Powers and Responsibilities
- Section 9. Responsibilities of Executive Board Members

ARTICLE V - MEETINGS AND PROCEDURES

- Section 1. Notice and Place of Meetings
- Section 2. General Session
- Section 3. General Meeting Quorum
- Section 4. Executive Board Meetings
- Section 5. Executive Board Quorum
- Section 6. Area Meetings
- Section 7. Special Meetings
- Section 8. Meeting Procedures
- Section 9. Action Without Meeting
- Section 10. Fiscal Year

ARTICLE VI - STANDING COMMITTEES AND ASSIGNMENTS

- Section 1. Committees
- Section 2. Committee Membership
- Section 3. Standing Committee Quorum:

- Section 4. Committee Reports
- Section 5. Special Assignments:

ARTICLE VII - BYLAWS ESTABLISHMENT, AMENDMENT AND RATIFICATION

- Section 1. 4CS Bylaws
- Section 2. Amendment of Bylaws
- Section 3. Ratification of Bylaws

ARTICLE VIII - DEFINITIONS

- Classified Staff
- Delegate
- Senates

ARTICLE I
NAME AND ADDRESS OF CORPORATION

Section 1. Name

The official name of the organization shall be California Community Colleges Classified Senate, hereinafter referred to as the 4CS or CCCC.

Section 2. Address

The Corporate address has been established to be: California Community Colleges Classified Senate, 2017 O Street, Sacramento, California, 95814

ARTICLE II
PURPOSE AND MISSION STATEMENTS

Section 1. Purpose

The specific purpose of this Corporation shall be to represent the Classified Staff of the California Community College System for participation in governance and to support the mission of the California Community College System.

The expanded purposes of the 4CS shall be to:

- Promote the classified staff of the California Community Colleges on all non-collective bargaining issues.
- Provide classified staff with a formal voice in determining institutional policies of statewide concern.
- Make recommendations on statewide matters affecting the California Community Colleges, as appropriate.
- Communicate to the Chancellor of the California Community Colleges the needs, concerns, viewpoints, and recommendations developed by the 4CS.
- Promote and facilitate the sharing of ideas, techniques, and experiences of its members by publishing and distributing bulletins, minutes and other appropriate materials.
- Assist in the development and strengthening of local shared governance bodies, as well as support the formation of local senates.
- Promote and support networking activities.
- Provide an opportunity to develop individual leadership in the classified staff, and increase the professional standards of its members.
- Address concerns as requested by its membership.

Section 2. Mission Statement

The California Community Colleges Classified Senate (4CS), constituted as a voluntary membership body of appropriately recognized shared governance bodies, colleges, and districts which recognizes the value of higher education in the State of California, sees its mission as:

- Advocating the value and contributions classified staff provide to the learning environment;
- Providing quality service to promote student success;
- Cooperating with other organizations in the interest of enriching the educational

- environment of the California Community Colleges;
- Serving as a liaison between the California Community Colleges’ senates;
- Promoting the participation of classified staff in shared governance at the State and local levels; and
- Developing and supporting classified senates at the local level.

ARTICLE III
MEMBERSHIP AND ELECTORATE

Section 1. General Membership

Members of the 4CS are defined as local senates that have a Constitution/Bylaws on file with the 4CS. Each college shall be entitled to one (1) General Membership in the 4CS. In the event of more than one (1) General Membership submitted from a college, the decision as to which shall be the college’s voting membership shall be determined by the local college’s classified staff.

Section 2. Electorate

The Electorate has full voting rights and shall consist of the Executive Officers, Area Representatives and Delegates from each member senate and local member senates (for election of local representation) of the 4CS.

ARTICLE IV
EXECUTIVE BOARD

Section 1. Membership

There shall be a total of twenty-one (21) Directors, collectively known as the 4CS Executive Board. The Executive Board of the 4CS shall consist of six (6) Executive Officers and the fifteen (15) Area Representatives.

- A. Executive Officers - The Executive Officers of the 4CS shall include the President, President-Elect, 2nd Vice President, Treasurer, Secretary, and President Ex-Facto.
- B. Area Representatives - Each of the five areas: North, Bay, Central, Southwest and Southeast shall have no more than three Area Representatives.

Section 2. Candidate Qualifications

Each candidate for election to the 4CS Executive Board shall be an active member of a 4CS member classified senate.

- A. All candidates for election to the President, President-Elect, 2nd Vice President Executive Officer positions must be active members of the current 4CS Executive Board.
- B. The Area Representatives shall be elected at the local senate level on the basis of their geographic representation.

Section 3. Election Rules and Procedures

The election process shall be the responsibility of the Nominations and Elections Committee. The

Nominations and Elections Committee shall develop procedures and timelines for the election process.

- A. To be elected to any Executive Board Officer position a candidate must receive a majority vote of the Electorate at a General Session meeting. An exception is made for filling vacancies (see section 7, Vacancies on the Executive Board).
- B. Candidates for Area Representative will be declared elected to the position if they run unopposed: i.e. no other qualified candidates submit a letter of intent within the required timetable published by the Nominations and Elections Committee. In addition, they must meet Candidate Qualifications as described in these Bylaws. It shall be the responsibility of the Executive Board to verify that these conditions have been met.
- C. In the event no candidate receives a simple majority (50% +1), a runoff election will be held between the candidates with the two (2) highest number of votes. In the event of a tie or lack of a simple majority (50%+1) after the second vote, then the candidates for the Executive Board position will be chosen by lot.
- D. There shall be no proxy votes.
- E. The Executive Board shall consider the subject of term limits every four (4) years.

Section 4. Terms

Terms of office for the Executive Board members shall be based on table following. Board members with the designation of “A” shall begin terms July 1 of every even year and officers with the designation of “B” shall begin terms July 1 of every odd year. The term of office is two years. Executive Board members may serve consecutive terms.

A	B
North 1	North 2
North 3	Central 1
Central 2	Central 3
Bay 1	Bay 2
Bay 3	Southeast 1
Southeast 2	Southeast 3
Southwest 1	Southwest 2
Southwest 3	President
President-Elect	2nd Vice President
Secretary	Treasurer

Section 5. Dismissals and Resignations

Failure to attend two (2) successive Executive Board meetings without notice and reasonable cause

may result in that Executive Board member being dismissed from the Executive Board. Procedures for filling that position are outlined in section 7: Vacancies on the Executive Board.

- A. After failure to attend Executive Board meetings as described in this section, the dismissal process will include (at the least) a written and verbal notification from the Executive Board of any potential actions, which may include dismissal from the Executive Board. Dismissal actions may occur as early as the next scheduled Executive Board meeting after notification to the Executive Board member. Dismissal of an Executive Board member requires a simple majority (50%+1) of those present for approval.
- B. Any member of the Executive Board may resign by written notice to the President. Procedures for filling that position are outlined in section 7: Vacancies on the Executive Board.

Section 6. Leave of Absence

Any Executive Board Officer may request a leave of absence of up to three months by written request to the President. The leave must be approved, by majority vote, of the Executive Board. If the leave is approved, an interim appointment may be made for any Executive Officer or Area Representative following the procedures in section 7: Vacancies on the Executive Board.

Section 7. Vacancies on the Executive Board

A vacancy in the above mentioned offices shall be filled in accordance with the following: if for any reason Executive Board vacancies exist, which can not be first filled by the processes delineated in this section, it shall then be the task of the Executive Board to fill any vacant positions until an election can be arranged.

- A. Vacancies on the Executive Board may be filled on a temporary basis by the President with the consensus of the Executive Board until the next General Session.
- B. A vacancy in the office of the President shall be filled by the President-Elect. If there is also a vacancy in the position of the President-Elect, the 2nd Vice President shall be appointed to fill the office of the President by general consensus of the Executive Board.
- C. A vacancy in the office of the President-Elect shall be filled by the 2nd Vice President with the general consensus of the Executive Board. If there is also a vacancy in the office of the 2nd Vice President, a member of the present Executive Board shall fill the vacancy by general consensus of the Executive Board.
- D. A vacancy in the office of 2nd Vice President shall be filled by a member of the present Executive Board appointed by general consensus of the Executive Board. In the event there is no Executive Board member who is willing or able to serve, then nominations and elections from the general membership will be conducted.
- E. A vacancy in the office of Secretary or Treasurer shall be filled by members of the Executive Board and ratified by the Executive Board subject to ratification at the next General Session. In the event there is no Executive Board Officer who is willing or able to serve, then nominations and elections from the general membership will be conducted.
- F. A vacancy in the office of an Area Representative shall be filled by an active member of a

local member senate of the 4CS from within that respective area appointed by the 4CS President and with the consensus of the Executive Board.

- G. Appointees shall meet the selection criteria as described in the section "Candidate Qualifications" at the time of their appointment except in the case of the position of President Ex-Facto. In such case, the Executive Board shall appoint the next preceding President Ex-Facto in descending order, who is willing and able to serve in their capacity so long as they are still classified staff.
- H. If the appointment is not ratified at the General Session, then another candidate must be nominated and voted in by the membership at that General Session.

Section 8. Powers and Responsibilities

The Executive Board will adopt rules of procedure, implement policies adopted by the General Session, act on behalf of the 4CS in the period between General Sessions, transact business, and perform other functions not inconsistent with the intent, purposes and provisions of the 4CS Bylaws. The Executive Board shall have the power and responsibilities to conduct all of the financial affairs of the Corporation.

Section 9. Responsibilities of Executive Board Members

The President shall:

- A. Be responsible for the preparation of the agenda for all meetings after receiving input from the Executive Board and/or from any member classified senate.
- B. Preside over all General Sessions and Executive Board meetings.
- C. Perform any other function normally thought to be within the realm of a presiding officer that is otherwise not denied by the Bylaws, including authorizing any expenditure from the budget.
- D. Sign approved minutes, along with the Secretary.

The President-Elect shall:

- A. Plan to serve as future President of the 4CS.
- B. Gain as much experience and training as possible to serve as future President of 4CS.
- C. Work closely with the President to facilitate a smooth transition to the office of President of the 4CS.
- D. Be an ex-officio member of the 4CS standing committees.
- E. Attend all 4CS meetings.
- F. Serve as liaison between the 2nd Vice President, Area Representatives and the President.
- G. Perform other related duties as assigned by the President.
- H. In the absence or disability of the President, serve as Interim President.

The 2nd Vice President shall:

- A. Attend all 4CS meetings.
- B. Be the liaison between their respective Area Representatives, the President-Elect, and the President.
- C. Oversee the Area Representative responsibilities, assisting as necessary. This may include disseminating information, updating the directory, and arranging meetings between Area Representatives and colleges.
- D. Assist the President in coordinating workshops at conventions or retreats.
- E. Perform research activities as directed by the President.
- F. Be an ex-officio member of 4CS standing committees.

- G. In the absence or disability of the President-Elect, shall be appointed to serve as Interim President-Elect.
- H. In the absence or disability of both the President and the President-Elect, shall be appointed to serve as Interim President.

The Secretary shall:

- A. Attend all 4CS meetings.
- B. Be responsible for taking and making available minutes of all meetings to the members of the Executive Board. A draft is expected within thirty (30) calendar days after the meeting, with the unapproved minutes being distributed within sixty (60) calendar days after the meeting.
- C. Maintain an archive of all 4CS business and correspondence.
- D. Sign approved minutes, along with the President.
- E. Be responsible for maintaining and publishing the 4CS Annual Directory.
- F. Perform such other duties as may be assigned by the Executive Board or ordered by these Bylaws.

The Treasurer shall:

- A. Attend all 4CS meetings.
- B. Be responsible for all monetary collections and disbursements relating to the 4CS.
- C. Maintain all records pertaining to the financial status of the 4CS.
- D. Perform a financial year-end report to be presented at the Fall General Session.
- E. Perform such other duties as may be assigned by the Executive Board or ordered by these Bylaws.

The Area Representatives shall:

- A. Attend all 4CS meetings.
- B. Handle dissemination of all pertinent 4CS correspondence.
- C. Act as the area contact.
- D. Keep in contact with and forward concerns to the President, President-Elect, and 2nd Vice President.
- E. Assist local colleges without senates by providing information regarding how to form a senate. This may include sending a packet of information and/or making arrangements for a personal visit by the President, President-Elect, 2nd Vice President or designee to host a workshop. This also includes addressing the concerns of all the colleges in that area.
- F. Perform other duties as may be assigned by the Executive Board or ordered by these Bylaws.

The President Ex-Facto may:

- A. Attend all 4CS meetings and be available for guidance and advice to the existing board.
- B. Perform such other duties as may be assigned by the Executive Board or ordered by these Bylaws.

ARTICLE V MEETINGS AND PROCEDURES

Section 1. Notice and Place of Meetings

All meetings shall be scheduled in advance by the Executive Board except for special circumstances provided for within these Bylaws of the Corporation and in accordance with the Brown Act. Notice of all meetings must be sent at least seven (7) days prior to the date of the proposed meeting to all Executive Board Officers and Area Representatives. The Executive Board will determine the place and times for each meeting. Meeting times and place shall be made available to the 4CS membership.

Section 2. General Session

A General Session, which shall be open to all community college classified staff throughout the State, shall convene at least two (2) times during the year at a time and place designated by the Executive Board.

Section 3. General Meeting Quorum

In order to conduct business a quorum shall be defined as a simple majority (50%+1) of the Executive Board plus any authorized Delegates present for a meeting. For the purpose of making motions and voting on business items, it shall require a simple majority (50%+1) of those present voting in favor for approval.

Section 4. Executive Board Meetings

The Executive Board shall meet a minimum of four times per year.

Section 5. Executive Board Quorum

In order to conduct business the Executive Board shall consist of a simple majority (50%+1) of Executive Officers and Area Representatives (not including vacancies), present for a meeting. For the purpose of making motions and voting on business items, it shall require a simple majority (50%+1) of those present voting in favor for approval.

Section 6. Area Meetings

Area meetings may be scheduled at the discretion of the respective Area Representative for the purpose of disseminating information regarding the 4CS to local senates.

Section 7. Special Meetings

Special meetings may be called at the discretion of the President or may be called at any time by a vote of two-thirds (2/3) of the Executive Board, or upon written petition to the President by twenty percent (20%) of the 4CS senate membership.

Section 8. Meeting Procedures

The Executive Board reserves the right to establish meeting procedures for all 4CS meetings. In the absence of specific action by the Executive Board, Robert's Rules of Order (latest edition) shall be the designated parliamentary authority for reference at all 4CS meetings.

Section 9. Action Without Meeting

The Executive Board may take action(s) that are within its powers and responsibilities as required or needed with out a formal meeting. Action(s) taken without meeting can only be initiated if all current members of the Board shall consent in writing. Approval of the action will be by majority vote. Written consent or consents shall be filed with the minutes of the next regular Executive Board meeting.

Section 10. Fiscal Year

The Fiscal Year of the Corporation shall begin on July 1 and end on June 30 of each year.

ARTICLE VI
STANDING COMMITTEES AND ASSIGNMENTS

Section 1. Committees

The following standing committees shall perform functions as set forth by the Executive Board. Other standing committees may be formed as the need arises by the Executive Board.

- Communication and Contact Development Committee
- Conference Development Committee
- Bylaws Committee
- Foundation/Fundraising Committee
- Legislative Awareness Committee
- Library/History/Data Collection Committee
- Nominations and Elections Committee
- Publications and Web Site Committee
- Staff Development Committee

Section 2. Committee Membership

Unless otherwise specified herein, the President shall, as soon as possible after his/her election, appoint the chairperson(s) and members of the standing committees. These appointments shall be subject to the ratification of the Executive Board. The Executive Board shall determine the number of members to be appointed to each committee except as otherwise provided herein.

- A. Membership on standing committees is not limited to the Executive Board members.
- B. There shall be a minimum of one Executive Board member on each of the standing committees.
- C. The President shall be an ex-officio member of all committees except the Nominations and Elections Committee.
- D. The President-Elect and 2nd Vice President shall be ex-officio members of all committees.

Section 3. Standing Committee Quorum:

In order to conduct business, a quorum shall be defined as a simple majority (50% + 1) of the Standing Committee members present for a meeting. For the purpose of making motions and voting on business items in a meeting, it shall require a simple majority (50% + 1) of those present for approval.

Section 4. Committee Reports

Standing Committee Chairs will prepare a written report to be mailed to the President two (2) weeks prior to each Executive Board Meeting.

Section 5. Special Assignments:

The President may assign any active member of the 4CS special assignments that are from time to time deemed necessary and subject to the approval of the Executive Board. The terms of all persons appointed to special assignments shall last as long as is necessary to complete the assignment but not longer than the appointing President's term of office.

ARTICLE VII
BYLAWS ESTABLISHMENT, AMENDMENT AND RATIFICATION

Section 1. 4CS Bylaws

The 4CS Executive Board shall adopt Bylaws to establish rules, procedures and other provisions for implementing the intent and purpose of this Corporation. The Executive Board is charged with the responsibility to update and change the Bylaws as necessary.

Section 2. Amendment of Bylaws

Bylaws consistent with and necessary to implement the Purposes and Mission may be adopted or amended by the 4CS Executive Board.

- A. Any local member senate or 4CS Executive Board member may propose Bylaw changes to the President. These proposed changes shall be placed on the agenda of the next Executive Board meeting for consideration, or at the request of the President be approved by a special vote of the Executive Board members prior to the next Executive Board meeting. The special vote must be documented in writing and the results are to be shared immediately with all Executive Board members. Special votes may occur providing the vote conforms to the provisions for doing so described in these Bylaws, in section Action Without Meeting.
- B. Adoption of proposed changes to the Bylaws shall require a simple majority (50% + 1) vote of the Executive Board members.
- C. If adopted, the changes shall be implemented into the Bylaws immediately. All changes to the Bylaws shall be made available to the 4CS membership.

Section 3. Ratification of Bylaws

4CS Bylaws shall be ratified by a simple majority (50%+1) vote of the Executive Board and will be distributed to all 4CS member senates and other appropriate bodies in a timely fashion.

ARTICLE VIII
DEFINITIONS

Classified Staff

As defined by Section 88003, (1a) of the California Education Code.

Section 88003. (1a)

The governing board of any community college district shall employ persons for positions that are not academic positions. The governing board, except where Article 3 (commencing with Section 88060) or Section 88137 applies, shall classify all those employees and positions. The employees and positions shall be known as the classified service. (Section 88003 continues...)

Delegate

Each local member senate shall appoint a representative, hereinafter called “Delegate”, who shall represent that member senate at the General Session. Delegates must be an active California

Community College Classified Staff member. Delegates shall have full voting rights and shall have the responsibility of being a liaison between the local member senate, the Area Representative, and the 4CS.

Senates

Senates are defined as the designated shared governance body for classified staff at the local level (i.e. associations, councils, classified organizations, committees, etc.)

SHARED / PARTICIPATORY GOVERNANCE

A Position Paper

By

California Community Colleges Classified Senate (4CS)

What is shared governance? Specifically, Education Code Section 70901(b) required the Board of Governors to adopt regulations setting “...*minimum* standards governing procedures established by governing boards in community college districts to ensure faculty, staff, and students the right to participate effectively in district and college governance, and the opportunity to express their opinions at the campus level and to ensure that their opinions are given every reasonable *consideration*...” shared governance, then, is a complex web of consultation and decision-making and responsibility that translates goals into district policy or action.

Currently it is widely agreed that the term “shared” governance is not truly descriptive of the process as the implementation intended. “Participatory” governance is more descriptive of the actual process. Ultimately liability continues to remain with the local governing board. Although the term “participatory” is replacing the term “shared” governance, we will, for clarity, use the original term in this position paper.

AB1725 (1988) and Title 5 of the California Education Code bring the force of law to the concept of shared governance. However, shared governance, as outlined in AB1725, is not a new concept. Title 5§53203 directs district boards to delegate authority and responsibility to district faculty, through their academic senates, in the shared governance process as it relates to academic and professional matters, i.e. curriculum, degree/certificate requirements, grading policies. AB 1725 also defined a role for student participation in governance. Title V of the Education Code was amended to ensure that students would have the opportunity to participate in college governance and to make recommendations concerning College policies and procedures that would have significant effect on students. [Sec. 510723.7] The 4CS applaud this action and strongly supports the role of student participation in governance.

In less detail, classified staff, referred to as “staff” are guaranteed the opportunity to provide input in all areas that affect staff, “...for staff participation in governance outside of the arena of collective bargaining.” (Minimum Standards for Staff Participation in Governance, Board of Governors, California Community Colleges, September 13-14, 1990.) AB 1725 directs boards to provide opportunity for input, and ensure that the recommendations and opinions of faculty, students, and staff receive reasonable consideration. Moreover, it charges the faculty to assume a degree of responsibility and active participation in shared governance not previously exercised, and it institutionalizes the roll of classified staff and students. Shared governance brings to institutions a total quality management model that includes all employees in the successful operation and accountability of that institution. This form of participatory government provides a unique model of governance that has resulted in the potential to serve institutions well.

Perhaps, in the beginning, the term “shared” governance created an atmosphere of expectation of greater control by all constituents. Perhaps it threatened those who had, up to that time, made unilateral decisions without adequate input and research. Whatever the case, in some institutions there were those who resisted the change. Using the vernacular of the time, paradigm shift was truly descriptive of the atmosphere concerning shared governance. Change was coming, and was not welcomed by all.

Though many classified senates (also called councils) existed prior to AB 1725, the law resulted in the development of many more classified senates across the state. A few classified unions strongly resisted the growth of classified senates, viewing them as a threat to their control of classified issues. The classified staff at each college found it necessary to evaluate the ability and effectiveness of its union/negotiating body to assume participatory governance responsibilities. Some institutions recognized that there were working limits to the role of classified unions. Limits the districts were unwilling to expand. In these cases, classified staff found it advantageous to consider senates or another body to fill their role in participatory governance. In many cases, the unions, already pushed to their limits by the negotiable and legal aspects required of them, were unable to separate union issues and tactics from those appropriate to shared governance. It is recognized that some districts have found the relationship between unions and administration to be one of such cohesiveness that their unions met the needs and responsibilities of participatory governance well. It is important to note that the California Community Colleges Classified Senate (hereinafter referred to as 4CS) is representative of the shared governance interests of all community colleges, their unions and senates/councils, whereas no single union represents all classified staff across the state.

In some districts, unions continued to misunderstand the role of a classified senate and they resist the development and operation of classified senates, resulting in the division of classified staff over the issue. After years of discussion on the division of duties and responsibilities, many classified staff groups had decided that large numbers of them *are* members of the unions and their choice of representation in participatory governance should be respected. As a result, the vast majority of districts have senates/councils (71 at last count). In some colleges and districts classified staff have their union represent them in both governance and collective bargaining. Others have both a senate and union. Yet some colleges have only a senate or council with no formal union. Each district has dealt with the shared governance requirement in order to meet their needs.

It is the position of 4CS that the best scenario is for two classified bodies, a union and a senate, each with unique skills and knowledge to best concentrate on their respective group for dividing up the work, effectively utilizing the skills of individuals, delineation of the intent and purposes of the individual issues of collective bargaining and participatory governance. Two bodies are better than one. The goal, of course, is for those two bodies to work in unison to promote not only all the concerns of the classified staff, but the *betterment of the institution* as a whole and a *successful learning environment for students*. Ultimately, however, the role in participatory governance is not to look out for the “best” interest of a constituency group, but of the institution and its mission. Our role in participatory governance is to strive for what is best for the students, institution, and its mission - not what is in the "best" interest of individual groups.

Shared governance has many definitions. There are a multitude of variations of governance structures and local policies. Each district has evolved individually in regards to shared governance. Some have evolved positively; some have stagnated, depending on their administration and leadership. There are also those districts that have struggled to understand and accept the participatory governance ideal or are struggling among their faculty, students, and staff to establish their roles. Shared governance has had its time to evolve - now it is time to revisit its successes and failures and to

redefine and improve it. Using the term "participatory" rather than "shared" is a beginning step to clarify this difficult concept.

The 4CS supports the strengthened role of faculty and students, particularly academic and student senates, in community college governance. The 4CS similarly supports classified staff “. . . opportunities to participate in the formulation and development of district and college policies and procedures, and in those processes for jointly developing recommendations for action by the governing board, that the governing board reasonably determines, in consultation with staff, have or will have a significant effect on staff.” [Sec. 51023.5(4)]. It should be made clear that the 4CS endorses classified senates as the representative bodies for all classified staff in professional matters other than those in the collective bargaining arena. However, the 4CS supports each district’s model of shared governance as it meets the needs of input for their classified staff and allows them an institutionalized voice in the decision-making processes at the college.

Participatory/shared governance is in the best interest of the institution and it’s students and creates and endorses a spirit of collegiality among all groups concerned with providing quality education. Shared Governance legislation has led to increased involvement of all segments of the college community as participation on committees from representative groups and has been encouraged and institutionalized.

“However, the term ‘shared governance’ implies more than information sharing; it demands from those who most frequently make the decisions (the Board of Trustees and the Administration) the belief that by giving all groups a valued and respected voice in decision-making processes, the college will be governed more effectively. Only as the Board and Administration demonstrate shared governance in its purest sense by opening up these processes and sharing them with a cross-section of all constituencies will any model of shared governance function significantly differently than that structure which currently exists.” (Perspective on Shared Governance, Butte Community College District, 1991)

Participatory governance is a responsibility and classified senates/councils, and other classified governance bodies have eagerly risen to that challenge. The 4CS strongly believes that classified staff participation is essential in providing valuable information and input because of their expertise and experience. Classified staff are involved in every area of our colleges and are committed to the belief that input from classified staff, the people in the trenches, provide essential contributions to the institution’s ability to make sound "educated" decisions with the best available information. It is also essential that support for participatory governance be recognized and practiced at the state level on councils, task forces and groups as well as at district/college levels.

The 4CS believe that the driving force behind shared governance must be first and foremost, the student. The student is our reason for being, and true “shared governance” must never lose sight that our primary mission is a successful learning environment for students.

ADOPTED: October 14, 1999

Classified Senates and Classified Unions: Classified All

A Position Paper

By

California Community Colleges Classified Senate (4CS)

The advent of collective bargaining and classified unions within the community college system was an historically important event resulting in classified employee’s right to representation and protection in critical issues affecting their safety, security, salaries and benefits. Currently not all California community colleges have classified unions although classified staff at these colleges retains the right to elect to have one.

AB 1725 (Shared Governance, more accurately referred to as participatory governance) heightened awareness that classified employees were not affective participants in governance in the community college system. This is not to say that all superintendents chose a management style that excluded classified staff in their consultative and governing process. A number of formal and effective structures were developed for classified staff to participate in governance, meeting the needs of AB 1725. Some found that the existing classified unions could meet the needs and responsibilities of participatory governance requirements. In most institutions, however, classified staff have elected to develop classified senates to assume participatory governance responsibilities.

Classified senates (sometimes called councils) were developed to represent classified staff in participatory governance issues only -- those areas not pertaining to collective bargaining. In 1995 Vice Chancellor and General Council for California Community Colleges Tom Nussbaum wrote in his position paper, Evolving Community College Shared Governance to Better Serve the Public Interest, “. . . a body besides unions should represent classified in shared governance.” Shared governance was designed to address non-negotiable items and establish an environment of participatory, consultative governance. The senates are the vehicles for classified staff to contribute to the direction and health of the community college system for our students and community. In contrast, union missions are collective bargaining issues, primarily working conditions and salary, a responsibility that has taken on giant and critically important proportions.

In the same paper, however, current Chancellor Nussbaum also addressed typical district mechanisms for shared governance, two of which were the classified collective bargaining unit and senates.

“The union for classified employees also sometimes becomes empowered to participate on a broader range of issues as the district responds to regulations of the Board of Governors requiring the establishment of policies to ensure that “staff” can effectively participate in district and college governance. . . . While some districts have classified senates (see below) which participate in district and college policymaking and governance, others simply rely on their classified unions to name appointees to district/college committees, review policies, and otherwise participate in shared governance.

3. Classified Senate: Classified employees in at least 57 colleges [1995] have formed classified senates to enable this staff to participate in district and college governance. The notion has been that collective bargaining framework is not the appropriate arena into which to bring shared governance and the broad spectrum of policies involved in running a college.”

The suggestion that a separate classified body should take on the role of input in participatory governance for classified staff was met favorably on a large number of community college campuses, as attested to by the number of classified senates developed (currently 71 out of 107). Some structures also exist that include both senates and unions in the participatory governance process. When evaluating the relationship between senates and unions, it is important to acknowledge the history of the academic senates and unions. Academic senates developed prior to community college faculty unions. Faculty unions were formed to provide the valuable and necessary service of contract negotiations, apart from college governance functions. Classified senates were created after the presence of unions in most cases to function within the college governance process. The California Community Colleges Classified Senate (4CS) believes the need remains for a separate representative body for negotiable issues and a representative body for governance issues. Although one combined body has served both areas of classified issues, it is the position of 4CS that two distinct and complimentary bodies serve those issues better in most cases.

Though some unions felt the development of senates to be a threat to their representation of classified staff, the individual classified senates and the 4CS have no goal or desire to usurp the collective bargaining duties and responsibilities of unions. By their very nature, unions are often placed in an adversarial position by their obligations and responsibilities. Unions represent classified interests, whereas governance bodies look at the interest of the institution, not of individual constituent groups. Classified staff have asked themselves whether a union can be as effective in both capacities of participatory governance and collective bargaining, especially during a period of contract negotiation or conflict resolution. The 4CS goal is to work together to increase classified participation in the governance of community colleges and districts in more avenues than have been previously available.

The Redwoods Decision is an example of an unsuccessful effort to develop a classified body other than a union. This was a case of an administration, not the classified staff, developing and establishing the mission for the classified senate. It must be made clear that other community college classified senates were not formed in this manner nor have they intruded on the responsibilities and duties of the union. Senates must be developed locally by classified staff for participatory governance at that institution. The 4CS support and respect the responsibilities and duties of all unions in the system. The 4CS encourages senates/councils to work cooperatively to achieve clear communication between the two bodies to better serve classified staff, students and the institution.

The 4CS mission is to assure classified staff an important role in participatory governance and the mission of the community colleges by supporting the development of classified senates or classified governance bodies and act as a cohesive element of those bodies by providing information and representation on state-wide organizations related to community colleges, as well as leadership training. The 4CS provide information to all classified participatory governance bodies in the California community college system, whether senates, councils, unions, or other classified governance bodies. The 4CS respects the right of each district's classified staff to choose the classified body or bodies that best serves their needs and will continue to include them in all benefits achieved for classified staff by the 4CS. It is the hope of 4CS that unions will continue to work with classified senates/councils as partners in the common goal of an informed, professional classified staff to better serve the students, the institution, and the community.

Over the years since AB 1725, it is clear that classified staff have a professional interest in the overall health of the California community college system and in its effectiveness in serving the educational needs of students. In the future, 4CS would propose that a statewide coalition of all classified organizations would be of service and benefit to the system.

ADOPTED: October 14, 1999

COMMUNITY COLLEGE GOVERNANCE: LOCALLY ELECTED BOARDS

A position paper by the
California Community Colleges Classified Senate

Since the passage of Proposition 13 (1978) the bilateral system of governance for the California Community Colleges has occasionally been debated. Both the appointed Board of Governors and locally elected Trustee Boards share the custodial responsibilities for the system. Should the group of individuals appointed by the Governor of California have sole authority to make all decisions regarding the funding, management and operations of all community colleges in the State? Or, should the Board of Governors simply provide independent districts with the funding and guidelines and then allow the locally elected trustee boards to continue with the governance of their own community colleges?

In 1921, when community colleges were legislatively authorized, they were created under a structure governed by locally elected trustees accountable to both local voters and the applicable laws of the State of California. The Education Code rewrite of 1959 provided that community colleges were to be governed by locally elected boards, provide the first two years of postsecondary education, and have the power to offer a curriculum that met the needs of the local community. The establishment of the *Master Plan for Higher Education in California* (1959) stated that community colleges should be community based and locally controlled with the State authorized to enforce legal provisions pertaining to the colleges. In 1967, the Legislature transferred statewide responsibility for community colleges from the State Department of Education to the newly created Board of Governors and the Chancellor's Office. Then in 1978, Proposition 13 resulted in the Legislature playing an increased role in local community college governance and operations and triggered a series of significant funding shifts.

In 1985, the Board of Governors proposed that the interests of the public would be better served if they were given authority for statewide community college educational policy. This action resulted in the 1986 Commission for the Review of the Master Plan for Higher Education, and the Joint Legislative Committee on the Master Plan was formed. The Commission ultimately recommended that the system be administered as a unified state/local system giving the Board of Governors broad policy making and management responsibilities for both academic and financial matters. However, the Commission made no recommendation to change the community college governance structure. Then in 1988, another study of the *Master Plan* was conducted and the Commission concluded that the basic governing structures of community colleges were not problematic, but that commitment and imagination within the structures were the key issues. In 1993, the Assembly Committee on Higher Education conducted yet another review of the *Master Plan* and again took no action regarding the governance structure.

Those who favor centralized State control argue that community colleges are operating under an incompatible structure in which the State pays the majority of the bills and local boards make the spending decisions. They cite the effect of Proposition 13 in shifting the responsibility for financing

community colleges away from local taxpayers and onto statewide taxpayers, and therefore, argue that the State ultimately should say how the districts are run. Proponents of this approach argue that the current governance structure jeopardizes the college's ability to effectively meet the needs of its students due to the strong influence of employee unions on locally elected boards. They further argue that there are too many community college faculty members serving on elected boards, thus creating an environment which favors protecting employee privileges and rights over community and student needs.

Supporters of a bilateral governance structure believe that a stable governance framework that encourages local boards to address critical community needs and to ensure that wasteful duplication of programs and services is avoided will best serve student interests. In 1988, the U.S. Department of Education issued a major report on community colleges that shows evidence of support for local control.

As an institution with a primarily local focus, the community college is a vital hub for the development of human resources to support local business and industry. The typical community college curriculum is driven by academic and occupational programs and support services that target local economic and workforce development needs.

The undisputed success of community college districts in meeting the educational needs of their student population is due in part to locally elected trustees. Local board members are held responsible by the voters for ensuring that programs offered meet the needs of the community. They provide a local perspective and help create and reinforce a sense of community identity. Having local leadership insures that each district and college has an opportunity to build on its unique strengths, thereby insuring that there is enough diversity within the community college system to reflect the diversity throughout California. California has one of the most diverse populations in the world and our community colleges serve an incredibly diverse set of needs. Significant differences exist between rural, urban and suburban areas; between agricultural, industrial and technological economies; between depressed and growing economies; and between communities made up of old, young, multicultural, rich and poor.

As community representatives, locally elected board members also help build partnerships with local business to increase local sources of funding support. They build partnerships with other institutions and community organizations to collaborate in providing educational services, thereby using funds more effectively.

There are many key areas where locally elected trustee boards make an impact, not just on the way the districts are operated but on the students and the employees as well. In an effort to enhance the understanding of just how important local boards are to the classified professionals working throughout the system, included are a few thoughts on their value. There is a need for local and State community college expertise working together to solve problems and provide leadership. The development of local leaders is the first step to supplying the system with statewide leaders. Ultimately, decisions need to be made close to the problems and within reach of the stakeholders while having support of the statewide system to back them up. Furthermore, local boards have the ability to embrace the concept of collegial governance as a fundamental policy of the college. The mechanism of participatory governance is enhanced by input at local board meetings by all constituency groups. Most local boards have a student trustee member who sits on the board and gives the local student perspective on issues. This further provides students the opportunity for enhanced leadership development. Employees are given the opportunity to address local issues and have input at board meetings for discussion and resolution. Another important role of the locally elected trustee board is

the recognition of special programs and achievements that would be lost at higher levels, especially in regard to student achievement.

With classified staff, faculty, management and students working with local trustee boards a strong sense of group effort and responsibility is created. Working together at the local level all groups can more effectively share in the overall custodial role of maintaining and improving our districts. It is the combined role of employees and trustees to provide quality services to our students and our communities. It is in reality a team effort. Local trustees can insure that we maintain that perspective and thereby succeed in directly and effectively serving our students and communities.

It is therefore, the position of the California Community Colleges Classified Senate that it is absolutely essential that a board of locally elected representatives exists to provide the bridge between community, district and local business insuring that local colleges are responsive to local needs. We believe that locally elected boards are held politically accountable by local voters for the achievements or lack thereof in their districts. Locally elected boards give campus constituents the best opportunity to participate effectively in governance by providing an arena for involvement and the expression of concerns and ideas. Locally elected boards bring the values of their communities to their colleges regarding programs, services and staffing. And finally, locally elected boards are better able to articulate the needs of the local communities and can work together with the Chancellor's office to represent the system at the state and federal levels. We need two coordinated, political bodies with the knowledge, skills and motivations to guide the system into the future.



California Community Colleges Classified Senate

The Issue Before Us: The Right to Choose

A Discussion for Classified Senates

by

Cari Plyley, 4CS President Elect

First, it is important to say that classified unions in community colleges have achieved many great things for their members. There is no question of the value of these organizations and their contributions to community college employees. There is also no question that community college classified staff will continue to support their unions in their collective bargaining efforts. It is unfortunate that some classified unions and classified staff are currently in disagreement over an issue that directly affects all classified employees. This disagreement will, without a doubt, have negative effects on the campus community and, if **SB 235** is passed, negative effects on the shared governance process.

This discussion is by no means anti-union. Though discussion in opposition to SB 235 has generated some condemnation toward California Community Colleges Classified Senate (4CS) and local classified senates, classified staff strongly believe in their rights to choose the way they participate in governance. It is important now to look this issue head on and face the facts. The majority of classified staff are, after all, local members of the state unions who are forcing SB 235 upon us. As union members, classified staff are now forced to be direct and to the point.

For the first time in community college history, some unions are holding down community college classified staff with an iron fist. Classified staff are being told, by the unions they elected to represent them in collective bargaining, that they have no rights beyond union control. Unions have proposed expanding their “role” to include dictating the daily lives of their members, to limiting member influence and input into the institutions they wish to serve, and to limiting their ability to choose how they want to contribute to governance and participate outside of collective bargaining. Is this how classified unions want to be perceived?

Across the state classified staff are asking, “Why?”

The term “Paradigm Shift” is a perfect analogy for the shift in attitude toward classified staff in the last decade. This forward movement has taken a lifetime to achieve, and, if unions are responsible for adding that one word “staff” to AB 1725, then classified staff thank them profusely. But union control in the governance arena will only result in the loss of participation for classified staff. It will result in

the loss of respect and acknowledgement that classified staff has gained in the last decade. For the first time some of our unions could be taking us backwards.

Why are unions trying to exert control over their members? Is it a power play? Is it an effort to increase the union fee structure, necessary to increase overseeing classified participation in governance? Is it ego of a few members of the state union executive councils who believe classified cannot move forward without the union leading the way? Is it a union effort to begin statewide bargaining? Is it local union executive boards that do not want to share self-importance or reward for staff accomplishments? Is it fear of individual actions or freedoms? Or is it self-preservation? Or, finally, is it bad business to encourage a positive environment for collective bargaining purposes? (Is this honest enough?)

These are all questions that classified staff across the state are asking themselves.

Why is there conflict between certain union and classified groups on community college campuses? There are a few scenarios.

Some classified staff have selected senates/councils, hereinafter referred to as senates, so they can participate effectively in governance. Administrations are by law not required to deal with collective bargaining units on other than negotiable items. This allows administrations to keep mandatory contact to a minimum. On many campuses (not all) this relationship was negative and classified involvement in governance was limited. There are guidelines for classified participation for both the exclusive representative and classified organizations. Development of senates/councils was a courageous step by classified staff to move forward in a positive direction. Instead of embracing and working with the opportunity, many unions have chosen to fight it. Some statewide union organizations have also encouraged local chapters to insist that senates/councils are illegal, furthering the conflict on campuses. The National Labor Relations Act and case law states that classified employee organizations and committees outside of collective bargaining can exist. The conflict arises when a classified employee organization meets the criteria of a rival labor organization. (See **LEGAL OPINION** Of State Chancellor's Office Regarding Minimum Standards for Staff Participation in Governance.)

Let us be perfectly clear: The courts do not find classified organizations to be illegal. Only when a complaint is made will they act upon it and make a decision. In essence, they leave it to the people involved to decide if the situation is one they choose to correct. More than half of community college classified staff members have chosen senates or councils. This figure should mean something to all of us and to OUR state and local unions.

“The Board, nevertheless, has made clear its view that employee groups may exist apart from exclusive representatives and may lawfully communicate with the employer. The critical requirement is that such groups remain outside the representational environment. This point first was made in *Oak Grove* and then reemphasized in *Redwoods*. Quoting with approval various National Labor Relations Board (NLRB) decision, the Board set out two circumstances in which employee groups could conduct lawful relationships with employers. These circumstances occur where the employee groups “engage in a mere discussion with management” or where “management has delegated actual decision-making authority” to the groups. (*Redwoods*) The classified employees council in *Redwoods* did not meet either test because its activities “went beyond discussions, but fell short of constituting delegated managerial decision-making authority.” (Ibid.) *Conclusions of Law, California PERB Administrative Law Judge, Ventura PERB Case Review 25089*.

Unions have the option to prove a senate, council, committee, etc., constitutes a labor organization. Classified senates should not be making recommendations on collective bargaining issues. Senates should work with unions to establish a delineation of duties. Several such documents and agreements

are in effect on campuses and should be honored and used as models. It should be made clear that it is established in law that it is not illegal for a committee to discuss items that may be collective bargaining in nature, but if the discussion results in a recommendation, it can be a violation. This is written in law!

Unless a classified group elects via the union to develop a senate, that organization is at risk by violating the PERB criteria. Unions will always be able to inform senates when the union should make a committee appointment, or if they think the union has purview over the issue, or if the senate is in violation. Currently campuses with good union/senate relationships work in exactly that way and that is the process that should be supported and enforced by both state senate and union organizations. Classified senates/councils should consult with their union to establish which committees require union representation, or both union and senate representation, and where no union representation is necessary. If a classified staff member on a committee thinks a subject of a collective bargaining nature is being discussed or introduced, it is important that the member voice his/her concern to the committee and ask their union and classified senate officers for their opinion. A one-time discussion of a collective bargaining nature is not a violation.

Make no mistake, the union has the power to dissolve a classified “committee” if it feels threatened and can show that the group meets the test of a rival labor organization. This test is to meet, not one, but in totality the items on step 2 of the list of criteria for a rival labor organization. Meeting only part of the criteria does not constitute a violation in itself. An evaluation of each point of criteria from a classified perspective follows the Chancellor’s Office Legal Opinion here.

The California Community Colleges Chancellor’s Office Legal Opinion M 90-24 states the following:

LEGAL OPINION

Of State Chancellor’s Office

Regarding Minimum Standards for Staff Participation in Governance

Staff should have the choice of how they want to organize and present their views on governance matters. They should have the flexibility to choose how they organize and provide views on governance matters.

They have the right to form, join and participate in the activities of an employee organization. PERB uses a two-step approach in determining a violation of the exclusive bargaining agent’s rights:

1. If the group constitutes an employee organization. That is, does the employee organization:
 - a. Meet regularly?
 - b. Consist of elected representatives?
 - c. Make recommendations on bargaining issues?
2. If so, does the **totality** of circumstances include:
 - a. Support by the governing board as shown by
 - (1) Employer financing group?
 - (2) Employer giving employees release time?

- b. Domination by governing board as shown by
 - (1) Employer scheduling organization's meetings?
 - (2) Employer determining the agenda?
- c. Interference of governing board as shown by
 - (1) Employer taking action to favor the group or undermine the credibility of the exclusive representative?

4CS Summary

Before continuing it is important to explain that the criteria established in the chancellor's legal opinion and outlined in AB 1725 is the criteria used in labor law to establish a RIVAL LABOR ORGANIZATION. Classified senates should never meet 1.c. or 2.b. through 2.c(1) of this criteria. Because this criteria was briefly outlined in AB 1725 with the directive to boards to allow staff participation, unions interpreted that to mean that meeting any of this criteria established an illegal group.

1. If the group constitutes an employee organization. That is, does the employee organization:

a. Meet Regularly?

If a senate/council does not meet regularly, it is not an affective group. Almost all affective committees meet on a regular basis.

b. Consist of elected representatives?

Electing representatives is the democratic way. To do otherwise would not be a fair use of this committee.

c. Make recommendations on bargaining issues?

Labor code and cases presented do not require committees to refraining from discussing bargaining issues, but from making recommendations on bargaining issues. The safe action here is to refrain from both discussion or making recommendations.

2. If so, do the TOTALITY of circumstances include:

a. Support by the governing board as shown by

(1) Employer financing group?

It is essential to remember that the criteria listed **in totality** must exist to establish a rival labor organization.

This is the most difficult criterion point to avoid. Classified employees are unable to participate fairly in the governance arena without financial support from the institution.

If the criterion was applicable to employee governance committees, classified staff would be asked to donate their time, energy, and personal funding to further institutional goals, not personal or unit goals. No other campus employee group is required to do this.

This is where the confusion arises between the definition of the two classified groups. One is a private labor organization whose primary responsibility is to the working conditions and benefit of the paying member. The other exists primarily to further the mission and vision of the institution by providing

classified input – expertise into the decision-making process from a classified perspective outside of collective bargaining, and educating classified staff on the processes, policies and procedures of the institution while promoting leadership skills.

Unions and senates should not conflict, but complement each other. It is within the two groups that failure may occur: one by being threatened by the other, and one by threatening. The first failure is not allowing the senate and union to solve their own issues. If one group clearly violates the rights of the bargaining agent, a complaint and action should be expected, and a resolution needs to be found to prevent a violation of union rights.

Classified staff should not be expected, and unions should not ask them to:

- (1) Take their lunch and break time to contribute to campus governance;
- (2) Provide a communication, education and leadership service to other staff members on their own time or at their own expense (newsletters, communications, etc.); or
- (3) Be asked to oversee the coordination of governance input and communication on their own time.

Classified staff do not ask themselves, “Is it worth it to me?” They ask themselves, “Is it equitable?” as other campus groups are not required to take their own personal time and money to participate for the institution as a professional. How could AB 1725 purposely grant classified employees the right to participate without supporting that participation? It is the difference between the two groups that must be accepted by the union leadership – classified senates/councils are not rival labor organizations, but governance committees.

Classified unions feel financial support is unfair and constitutes a lack of equity between the groups. This brings us back to the fact that campuses **cannot financially support** labor organizations outside of what is stipulated by law or included in collective bargaining. Unions often require different kinds of support needs due to their different functions. Administrations do financially support mandated and negotiated activities. The achievement of classified employee committees, such as senates, receiving such support from a District, should be an accomplishment in itself.

Participatory (shared) governance has to be a way and a means of doing business. If it is not, it is a carrot dangled in front of classified with no intent to allow real participation.

(2) Employer giving employees release time?

Again, it is essential to remember that the criterion listed is to establish a rival labor organization must be **in totality**.

The suggestion that employees would use their personal or vacation time to participate in community college governance makes a mockery of the true vision of AB 1725 and gives discriminatory and unfair advantage to management and faculty.

Again, classified staff do not ask themselves, “Is it worth it to me?” They ask themselves, “Is it equitable?” as other campus groups are not required to take their own personal time and money to participate. How could AB 1725 purposely grant classified the right to participate without supporting that participation?

Classified staff are released from their positions to sit on committees to participate as part of their overall job responsibilities. Employee positions on many campuses have evolved to include the stipulation of committee participation in job descriptions. Union contracts should not have to state that committee participation is a responsibility. AB 1725 establishes that “staff will be given the

opportunity to provide input and every reasonable consideration given to that input.” Input through committees is a logical expectation and is an established successful pattern of involvement.

“Release time” is the issue of an employee needing enough time to contribute to a committee that reduces the actual time she or he is able to do her or his job and it is necessary to bring in a temporary hourly replacement for some of those duties. This is usually in the case of a committee chair, or in this case, a senate president.

To avoid the “release time” issue with a non-supportive union some classified staff continue to do their jobs by working through lunches, breaks, evenings and weekends to accomplish affective coordination of governance participation. Many senate presidents do just that. A supportive union has negotiated release time for classified senate governance participants. Some senates have attained some release time with the union looking on in disagreement. Senates must realize that this is a temporary arrangement and, without the union negotiating release time in the classified contract, the arrangement can be rescinded on a moment’s notice. Unions should also view this release time as a temporary arrangement because it has not been negotiated. Unions should be supportive and initiate release time agreements for classified senate members. Release time for classified staff is a positive accomplishment that unions should support.

**b. Domination by governing board as shown by
(1) Employer scheduling organization’s meetings?**

This should never take place. It is a known fact and should not be questioned: Classified senates must be created by, directed by, and maintained by classified staff.

(2) Employer determining the agenda?

Again, this should never take place. It is a known fact and should not be questioned: Again, classified senates must be created by and maintained by classified staff. Classified senates must be the creations of, directed by, and maintained by classified staff. Agendas may contain governance items that the district requests be discussed and that a responsive senate will consider.

**c. Interference of governing board as shown by
(1) Employer taking action to favor the group or undermine the credibility of the exclusive representative?**

The responsibility for preventing this lies on the administration for knowing and following the law and on classified unions and senates for monitoring and preventing this from succeeding.

The language in AB 1725, unfortunately, gave rise to concerns about classified “employee organizations.” In trying to direct districts to avoid influencing an employee organization in a way that would establish a rival labor organization, criteria language was integrated specifically from PERB and Labor Code for establishing a rival labor organization within the same paragraph discussion. The paragraph, 51023.5, is segmented for discussion here.

51023.5.Staff.

(b) In developing and carrying out policies and procedures pursuant to sub-section (a), the district governing board shall ensure that its actions do not dominate or interfere with the formation or administration of any employee organizations, or contribute financial or

other support to it, or in any way encourage employees to join any organization in preference to another.

This aforementioned section clarifies the law pertaining to rival labor organizations. Until an exclusive representative is chosen, more than one employee organization could exist, competing for the same duties.

(b) . . . In addition, in order to comply with Government Code sections 3540, et seq., such procedures for staff participation shall not intrude on matters within the scope of representation under section 3543.2 of the Government Code.

Code 3540 referenced above:

3540. Purpose of chapter

It is the purpose of this chapter to promote the improvement of personnel management and employer-employee relations within the public school systems in the State of California by providing a uniform basis for recognizing the right of public school employees to join organizations of their own choice, to be represented by the organizations in their professional and employment relationships with public school employers, to select one employee organization as the exclusive representative of the employees in an appropriate unit, and to afford certificated employees a voice in the formulation of educational policy. This chapter shall not supersede other provisions of the Education Code and the rules and regulations of public school employers which establish and regulate tenure or a merit or civil service system or which provide for other methods of administering employer-employee relations, so long as the rules and regulations or other methods of the public school employer do not conflict with lawful collective agreements.

Notice that underlined are three separate statements that employees are allowed to: 1) join organizations of their own choice, (2) to be represented by the organizations in their professional and employment relationships with public school employers, and (3) to select one employee organization as the exclusive representative of the employees in an appropriate unit. Also note that (2) of this paragraph has plural organizations for professional and employment relations. In Labor Law and Education Code “employment relations” is stated consistently to specify the exclusive representative. The definition of “exclusive representative” and “scope of representation” for this same section follows:

3540.1(e) "Exclusive representative" means the employee organization recognized or certified as the **exclusive negotiating representative** of certificated or classified employees in an appropriate unit of a public school employer.

3543.2. Scope of representation

(a) The **scope of representation shall be limited** to matters relating to wages, hours of employment, and other terms and conditions of employment. **"Terms and conditions of employment" mean** health and welfare benefits as defined by Section 53200, leave, transfer and reassignment policies, safety conditions of employment, class size, procedures to be used for the evaluation of employees, organizational security pursuant to Section 3546, procedures for processing grievances pursuant to Sections 3548.5, 3548.6, 3548.7, and 3548.8, the layoff of probationary certificated school district employees, pursuant to Section 44959.5 of the Education Code, and alternative compensation or benefits for employees adversely affected by pension limitations pursuant to Section 22316 of the Education Code, to the extent deemed reasonable and

without violating the intent and purposes of Section 415 of the Internal Revenue Code. In addition, the exclusive representative of certificated personnel has the right to consult on the definition of educational objectives, the determination of the content of courses and curriculum, and the selection of textbooks to the extent such matters are within the discretion of the public school employer under the law. All matters not specifically enumerated are reserved to the public school employer and may not be a subject of meeting and negotiating, provided that nothing herein may be construed to limit the right of the public school employer to consult with any employees or employee organization on any matter outside the scope of representation.

Next we look at the remainder of the AB 1725 paragraph:

51023.5.Staff.

(b) In addition, governing boards shall not interfere with the exercise of employee rights to form, join, and participate in the activities of employee organizations of their own choosing for the purpose of representation on all matters of employer-employee relations. Nothing in this section shall be construed to impinge upon or detract from any negotiations or negotiated agreements between exclusive representatives and district governing boards. It is the intent of the Board of Governors to respect lawful agreements between staff and exclusive representatives as to how they will consult, collaborate, share or delegate among themselves the responsibilities that are or may be delegated to staff pursuant to these regulations.

Classified organizations or committees, collective bargaining or governance, should be respected for the established and separate roles they play. Favoritism should not be measured by financial support or release time. Community college administrations are governed by law as to how they must work and support unions. Contracts dictate release time for unions and the state dictates reimbursement for this activity. Unions should not place on their members, the classified staff, the limits that are placed on union organizations. This is counterproductive and unions should be required to listen to their members.

Unions should be given the right to participate in any arena or committee that affects classified staff working conditions or collective bargaining areas.

Not only should administrations not endeavor to undermine the credibility of unions, but classified staff should never allow such manipulations to happen. Unions should also trust their members, the classified staff they serve, to make professional decisions. Unions should educate their members on what realistically area negotiable and non-negotiable items. In the CSEA *Shared Governance Resource Manual*, produced by CSEA Community College Committee, pages are included for SUBJECTS WITHIN SCOPE OF BARGAINING, and for SUBJECTS OUTSIDE SCOPE OF BARGAINING. Unions, therefore, at least CSEA, do recognize that there are issues outside the scope of bargaining and outside the scope of representation.

Collective bargaining is often one of agreeing to disagree, or **not** agreeing to disagree. Reality dictates that in association with collective bargaining activities one cannot always quickly remove one “hat” and walk in the next room and put on another “hat.” Although unions argue this point, what is in practice on campuses confirms this reality. Bargaining can often be an emotional activity that requires restraint and control. Unions must often maintain an adversarial distance or position separate from the district to accomplish their duties. This reality needs to be viewed objectively, not defensively. Perhaps in the future this will not be an issue, but it is important to deal with reality in the here and now.

The state unions need to also recognize that local unions may not want the additional responsibility or have the time for governance. AB 1725 has increased the number of valuable committees classified staff are allowed to participate on, and many of these committees require the unions to participate. But some committees are developed for governance purposes only and are outside collective bargaining. If a senate member or an appointed classified staff member participating on a committee thinks that a union member should attend or replace that person, it is the responsibility of the classified staff member to make this suggestion.

Here are some concerns that have been voiced by CSEA and have been disputed by 4CS as local problems that should be resolved on the local level.

Concern: There are “few” classified senates in California and they are ineffective.

Answer: Of eighty classified senates in the state, how many are effective? A survey should be taken by 4CS. From the input 4CS has received, senates are alive, well, flourishing, and effective, and sharing their successes and difficulties. It is true that over the years some senates, because of union resistance, are inhibited from being affective or have been forced to relinquish their responsibilities to the union. With approximately 80 senates, a “few” is clearly a misleading statement.

Concern: With senates, management can go around the collective bargaining process and confer with non-union appointed committee members.

Answer: The majority of classified staff ARE union members, except the small number of confidential employees who participate. All classified employees should be aware that committees should not make recommendations on collective bargaining issues. Classified employees should be given more credit.

Concern: Some senates include confidential employees and they represent and will enforce management views.

Answer: Confidential employees make up a fraction of community college classified employees in California. The small number who participate in senates are few, but valuable members. Governance is a system of bringing expertise to the discussion process. Confidential employees have had little or no voice before AB 1725. Classified senates use the democratic process and no one person can overpower a senate with input or opinions. Within the law, confidential employees should have the right to participate in senates if possible.

Concern: There is disagreement about which issues are negotiable or non-negotiable items.

Answer: CSEA’s *Shared Governance Resource Manual* outlines subjects within and outside the scope of bargaining. The subjects within the scope of bargaining are not limitless as seen in these documents. Senates should work with unions to establish a delineation of duties. Several such documents and agreements are in effect on campuses and should be honored and used as models.

Concern: Classified senates are not designated in code.

Answer: Senates are glad this was brought up. Classified senates are only a decade old, though a few have been here much longer. Before establishing senates in code, senates needed to prove they could have a successful role in governance. As any other “new” group, the bugs needed to be worked out. Unfortunately, the lack of cooperation of some unions has slowed the normal progress down on some campuses. It is time, however, that classified senates were established in code as the group to organize input for classified staff in community college governance. 4CS has written such language for Title V. Placing such language as a higher priority in Education Code, and not under Title V and the direction of the Board of Governors, is inconsistent and unproductive within the participation process.

Concern: Senates receive more release time than unions.

Answer: Senates are not unions. Labor law is fairly specific about the contributions administrations can make in support of unions. Senates are also not rival labor organizations, therefore do not fall under the criteria used to establish a rival labor organization. Unions should not feel jilted by the support the institution provides to governance committees. The majority of classified staff are union members and all should contribute to both organizations during their tenure at the institution.

Concern: Senates have all the fun.

Answer: Coordinating and participating on senates and governance committees is hard work. But classified staff will agree that unions have a very difficult job. The role of the union is to protect and negotiate working conditions. This is very serious business for the benefit of classified staff – there is very little that is “fun” about it. It is the nature of the beast. There is nothing from precluding unions from sponsoring fun events.

Concern: There is no law that senates are accountable to their members.

Answer: Shared governance does not deal with negotiable items, therefore there are no laws to regulate accountability for input. Laws set minimum standards for behavior. Personal commitments drive us beyond what the law would demand. Personal commitments and ethical beliefs can hold an individual to be more accountable than laws alone. There are no laws to govern committee behavior or integrity. This concern implies that classified staff cannot effectively participate and would participate in less than an ethical capacity without integrity. All employees, whether in a union or senate capacity, should participate in a responsible manner while serving on committees. Labor organizations **require** accountability measures. Though governance does not require by law accountability measures, the integrity of an individual serving on a governance committee should be respected as a valuable employee providing valuable input within his/her expertise and experience.

When one union introduced legislation to expand the role of unions to include all committee appointments, classified employees were shocked that this legislation would be introduced without presenting the issue before community college classified union members. These state union officers made a unilateral decision to take away committee appointment responsibilities of almost 80 senates without consultation or discussion with its own union members, many of which do not belong to that union. Up to this point, CSEA classified union members assumed (yes, the bad “A” word) that the usual process was to vote on such a proposal for legislation before a yearly conference delegation. It has shocked thousands to learn that there are two ways to introduce legislation – by conference vote and by the board of directors. The greatest shock was that this proposed legislation is directed at its own members. If SB 235 is approved, the effects could be resounding.

The bottom line is that classified staff need the support of their unions on the local and the statewide level, not their opposition. Classified unions need to realize that objective participation in governance has been a great step forward for classified staff and the collegial atmosphere in community college. When unions have embraced the effectiveness of senates or councils, both the unions and the classified staff benefit. The choice is clear.

Conclusions:

To give classified unions the sole right to make appointments to committees eliminates classified staff’s right to choose the way they participate in governance, and the right to choose senate members. It also expands the role of unions outside collective bargaining and scope of representation. This is a

local issue and should be a local decision. Placing such a mandate in Education Code takes away the rights of the many to give control to the few. This is not the purpose of law.

The proposed language does not address those campuses that have multiple unions. How would multiple unions decide who would sit on committees? Each union having a seat on a committee would imbalance the committee representation, making the committee ineffective for shared governance. This issue does not seem to have been considered.

Perhaps SB 235 should address the real issue, and that is unions should be allowed to participate on governance committees where they have a direct and significant affect on collective bargaining decisions. If SB 235 should become law, it should only be with this language.

Unions have the responsibility to support the decisions of those they serve. The question here is whom do unions serve? Classified senates do not view governance activities as an avenue for power, but avenue for input. Governance committees have a responsibility of looking at a wider view and taking in the interests of more groups and people than what is required in collective bargaining. This is not a control issue for senates, but freedom for input.

SB 235 has forced this issue out into the open and will hopefully begin a dialogue with the respective parties to evaluate not only the benefits and opportunities that are made available to classified staff by developing senates, but how to mediate and eliminate the conflicts between senates and unions that might exist. In doing so, there may be issues that arise for discussion that need open-minded individuals to find solutions. Senates are a decade old (yes, there's a few older ones out there) and it is time to resolve issues and introduce dialogue to discuss the issues that need to be addressed.

The proposed legislation is anti-classified and unproductive. We hope the unions will agree that there are alternative processes to achieve the desired results. The first step is communication. It is imperative that classified employees speak to their union leadership and contact their state leadership and tell them what their wishes and rights are – before they lose them completely.

These are exciting times - we are speaking here of the evolution of respect and equality in community colleges. 4CS hopes that all involved with this issue will open their minds and see the benefit of classified senates and non-union control of governance issues.

Instead of unions being in opposition to senates, senates should be deemed achievements that classified have made toward a fair collegial environment, with the assistance of their unions.

The movement of classified staff into the collegial environment of college governance is an achievement for classified unions. The support and perseverance of classified unions have encouraged the community college community to recognize classified staff in many ways. Classified senates have proven that their contributions to the governance process will assist in accomplishing the vision and mission of the institution and further student success in a non-collective bargaining atmosphere. The development of senates and councils is in no way disrespectful of classified unions, but a choice to focus classified unions on collective bargaining - the primary role of unions, and senates to participate in a non-collective bargaining capacity to provide input on a professional basis and not bring a “negotiable” presence to governance. A union appointed representative cannot help but be viewed as a union appointed representative. This is not the environment of shared governance. This choice is not “shutting” out our unions. Unions can also be more effective in collective bargaining by focusing on

that responsibility. Unions have the difficult task of protecting our collective bargaining rights and working conditions – they have their hands full and are admired for their commitment. Classified staff should share the responsibility of both groups. It is now time for unions to decide what is best for classified staff members and not what is best for the union organization.

This necessary discussion in no way states that classified staff are unhappy with their collective bargaining representatives, on the contrary, we support them completely. Please note, however, that this conflict was not initiated by classified senates or 4CS. CSEA seems unwilling to acknowledge that governance is not an issue of collective bargaining, even though the majority of community colleges have established a pattern of senates and unions working together. Classified senates believe that a reasonable separation between governance and collective bargaining is healthy for all. There are no hidden agendas, no enemies. Classified staff should, however, not be criticized by their local unions or the state union offices for voicing their right to free speech.

Classified staff has the right to choose their employee organizations, they have the right to choose their exclusive representatives. They have the right to choose how they participate in governance. Democracy is the right to choose.

April 29, 2001

Cari Plyley, 4CS President Elect
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Becoming an Elected Member of the 4CS Executive Board

If you are an active, permanent classified staff employee of a California Community College District, you may qualify to become a member of the 4CS Executive Board. Each candidate for election to the 4CS Executive Board (Board of Directors) shall be an active member of a 4CS General Member classified senate.

The 4CS Board of Directors is a twenty-one (21) member board, which includes fifteen (15) Area Representative positions which represents the State of California's community college classified staff. It also includes six (6) officer positions (President, President-Elect, Vice President, Secretary, Treasurer, and Past President). The State of California has been divided into five representational "Regions" for the organizational purposes of 4CS. The five regions are North, Bay, Central, Southwest and Southeast. Each region is also divided into three "Areas" such as Bay 1, Bay 2 and Bay 3, for example. The sizes of these regions and areas are based upon the populations, number of colleges, and the distances between colleges. Each of these fifteen areas have an Area Representative, which serve as liaisons to the colleges in their area, work with the other Area Representatives from the same region, and serve as your representatives on the Executive Board of 4CS. If you work as a permanent classified employee and have been a member your local senate at any one of the colleges or districts in your region (North, Central, Bay, Southwest, and Southeast), you can submit a "Letter of Intent" and be elected or appointed (as appropriate) to a vacant Area Representative position. If your college is listed in Bay 2, for example, you can "run" for any Area Representative position that is open, Bay 1, Bay 2 or Bay 3, assuming the positions are currently vacant or terms are about to expire.

E-board positions, which are open for new candidates (persons not already serving on the 4CS Executive Board) to apply, include all of the Area Representative positions and the officer positions of Treasurer and Secretary (as terms expire). The President, President-Elect, Vice President and Past President positions are only open to current E-Board members. President and Past President positions are successional positions. These positions require a working knowledge of the organization, its history, mission and goals, and are important in maintaining some of the institution's continuity and responsibility, statewide. This combination provides 4CS with a smooth transition of leadership which allows for new ideas and change, yet preserves the organization's ability to be effective and responsive and communicate with its members. 4CS encourages new members to participate and fill available positions. You must file a Letter of Intent and meet criteria associated with "active member" status by the appropriate deadlines. Also, if a vacant position exists between elections, the President, with confirmation by the E-board, can appoint individuals to fill vacant board positions. (see current 4CS Bylaws for specific requirements and information)

As an Area Representative, your primary obligations include service to 4CS and service to the classified in your area. At this time, 4CS can not afford to pay for your participation on the E-Board. You must either have personal funds available or support from your district and senate. Contact your local Area Representative or any of the current 4CS officers for more information, if you are interested.

Becoming a 4CS Area Representative

Are you interested in getting more involved with the mission of 4CS? As a classified staff member at one of the state's community colleges or districts, you have a current background of senate-related work. Do you have a desire to work for improvements to the California Community College System and have noticed how statewide decisions effect your local institutions and their functions? Becoming a 4CS Area Representative is a great and exciting place to begin helping classified senates, colleges and districts statewide to improve through better governance.

Being a 4CS Area Representative is an important position since so much of what we can accomplish for our students and districts is directly influenced by state mandates and influences and by sharing information between colleges and districts. 4CS is making significant progress in being more visible, more recognized and listened to. We are working hard to increase communications throughout the State, improve the Classified Leadership Institute (which already receives great evaluations from its participants), represent classified staff in governance issues, and to increase our involvement throughout the system on taskforces and other statewide bodies. We are actively involved in the many activities sponsored by the Community College League of California and many other proactive projects including supporting new senates. Senates continue to be formed in colleges where there have been none. It is an exciting time to be involved.

More details as to what is involved in being an Area Representative:

- 1 - A strong interest in the overall health of the community college system, in the quality of services provided to our students, in the professional standing of classified staff, and in how the system works as one to provide its services.
- 2 - The ability to see the system's needs and become an advocate for the community college system as a whole (seeing the global view). The passion to work for our current and future students and the community college system through its governance mechanisms. To work and earn respect for classified staff by representing the global interests of our students and our communities. The dedication to make an educational difference for our society. These are all characteristics of a 4CS Area Representative.
- 3 - Attend the four E-board meetings each year and two General Session meetings each year. Two of the E-board meetings are generally held in the north part of the state and the other two in the south. One of the E-Board meetings and one of the General Session meetings are held in conjunction with the Classified Leadership Institute (which we co-sponsor with CCLC) at Granlibakken in June and the other pair are held during the CCLC Annual Convention in November each year. The other two E-Board meetings (the "fall" and "spring" meetings) occur usually at one of the various community colleges across the state. Attending these conferences and meetings may include lodging costs, food costs, conference costs and travel costs – not to mention a commitment of time (two days or more each).
- 4 - A commitment by your college or district to support your activities as you represent them and their classified staff and 4CS, is almost required. For your college and yourself, this demonstrates a significant level of support for both the concept of shared governance and classified involvement in that process at all levels, especially at the state level. Many districts already support statewide activities in a variety of ways. Support from your district is an investment in you and benefits your

entire district by your increased visibility and positive actions on the system's behalf. We would conservatively estimate the overall cost at \$1600 per year, a price that most districts can afford, perhaps from a variety of funding/budget sources. Obtaining commitments of support for your complete term is better than asking for support separately for each meeting and event. It is important that your district funds your efforts and it makes your participation (time) more effective and productive. In some cases, local senates and other fund raising activities can be arranged to support your activities. 4CS can suggest ideas that may assist you in requesting financial support from your district. It is important that you know that 4CS budget is limited and can not generally support your involvement at this time. We are working together to change this situation in the future for 4CS E-board members.

5 – Communication is the final obligation. You serve to share information from your area to 4CS, between 4CS and other statewide organizations, and from 4CS to your colleges and their classified staff. This can be accomplished by sharing newsletters, visiting the colleges, attending the 4CS meetings, volunteering to work on 4CS committees and being available for anyone at our colleges to talk with you. 4CS is a great organization, yet young and growing compared to other statewide groups. It needs members that care about the quality of services provided by the community college system, and it needs members dedicated to the mission of 4CS, and it needs members with the time and energy to help it be effective and responsive.

6 – Participation, beyond going to four E-board meetings and two General Session meetings and sharing information is always welcomed. Many members on the E-Board try to do more as their time permits (plan the Institute, write articles for the newsletter, serve on committees and taskforces, attend other statewide meetings, answer questions (share information) in a variety of ways across the state, etc. Simply by working at your college as a classified employee, you know much about what is needed and what happens. Sharing and comparing that information is a critical function that any of us can do. Having vacant positions on the E-board hurts 4CS's effectiveness, limits our perspectives and slows our progress in fulfilling our mission. On a personal level, your involvement and service to 4CS and the state's classified staff is an excellent opportunity for personal and professional growth. You will learn more about the community college system, governance and state government. The work is challenging, feasible and worthwhile. You will have contributed to student success, statewide.

As our community colleges are changing to meet current trends and student needs, we can help facilitate and direct those changes. Please help us by joining the 4CS Executive Board as openings occur to represent your area or as a 4CS Volunteer.

Becoming a 4CS Volunteer

There are numerous ways that you could volunteer to assist 4CS. The easiest way is to help us by **distributing information** from and to 4CS and the classified staff of the community colleges. One of the most important yet seemingly hard functions of any organized group is to stay in touch with its members (in our case, senates and classified individuals). Help us by volunteering to forward on newsletters, bulletins and email letters to the classified staff at your college and your colleagues at other colleges. Likewise, forward information to us as to what your senate and its members have been doing. Sharing information across the state is an important function of 4CS. Help us by telling others who we really are and what we are trying to do.

Although we have not always been the best at asking for help, important positions are open to **work on our committees**. More and more of what 4CS will accomplish will happen in our committees and by volunteers such as you. We have a number of active committees which need your expertise. Much of the work can occur via email, but occasionally it would be good for the committees to physically meet together for a day to accomplish their work. The current 4CS committees and contact persons for each are found on our website.

Funding is always important for an organization. Currently and in the foreseeable future, 4CS does not have an abundant source of funds to use in carrying out our mission. Our funding “picture” is improving. We have managed to earn funds by providing workshops, sessions, auctions, baskets, etc. Some of the E-board members receive support for travel to our meetings and conferences from their colleges and districts. Some E-board members use their personal funds to be actively involved. All E-board members contribute something in addition to whatever support they do receive. Many of the statewide organizations have an operating budgets of thousands dollars with which to function, reimburse districts for release time of their officers, to pay for statewide travel to meetings and to talk to their members. Some organizations have paid permanent staff to assist with the tasks at hand. We don't, yet we are very effective with that which we have. With more support, we can do more for our membership. If you would be interested in working on fund-raising, let our Treasurer know.

Becoming a 4CS **educational resource for your representatives** in the state legislature will be more and more important to the community college system and to 4CS. Many of the laws and directions of the community college system begin in the California Legislature. Your local representatives want to hear from you or know that you are willing to be a resource contact for questions they might have on community college issues. If 4CS is going to become more effective statewide, we need to serve the members of our legislature (Assembly and Senate) and Governor with quality information with which they can make quality decisions. 4CS will eventually need support for its legislative issues and to help us become more involved in supporting education through out the state. You can help by becoming personally involved and help us watch the activities as they unfold in Sacramento. Get to know your elected legislative representatives, and volunteer to be a resource as needed. Let your legislature know who you are and that you have an interest in increasing the health and effectiveness of the community college system as a classified employee. Help us, help the community college system become stronger and more responsive in meeting the future needs of our students. Consider joining us as we attend statewide meetings. Help us make positive connections with the legislature.

Volunteering to **help your local senate** act responsibly and effectively is the beginning basics. The strength of 4CS depends upon classified at each college or district that are willing to serve on their senate and make shared or participatory governance work at the local level. Gaining respect and

admiration from all of your colleagues at your college is the first step to opening channels of communication at the state level. We need to demonstrate at every level that we want, can and do participate effectively. We are an asset to community college governance. Our students will benefit from all staff of the colleges working together as a collegial team. The more we work together at our colleges and districts, the more solid the bonds and relationships will be. The more others recognize ability to responsibly contribute, the more old traditional stereotypes and battles will be a thing of the past. Real participation is not about power struggles or fulfilling egos; it is about searching for creative and elegant solutions that meets everyone's needs and focusing on the work at hand.

Similar to what happens at the individual college and district levels, statewide taskforces are created for a specific amount of time with a specific task to complete. In the future **to work on taskforces**, a pool of classified staff volunteers with a variety of expertise and willingness to travel to meetings will hopefully be needed to work on statewide issues. Are you willing to help out in this manner. You may have the experience and hands on knowledge that would be useful to these specific groups as they begin their work. The work of taskforces often set new directions for our system. We are asking the Chancellor's Office to include more classified staff on their taskforces and work groups. You have the ability to contribute and 4CS is trying to be more involved by working on system-wide taskforces as opportunities open up.

Help your Area Representative to **arrange for Area Meetings** within your region. We would like to see senates from different districts have the chance to meet together to talk about common experiences, problems and solutions. As a group, you could make recommendations to 4CS and share your talents and ideas. We have often talked about Area Meetings with classified staff across the state, but it rarely happens due to limitations of time. You could serve as the driving force to arrange a date, time and place, where area senates and/or their senate representatives could meet and talk. Working with your Area Representative to accomplish this would be much appreciated. Whether you are in the North, Central, Bay, Southeast or Southwest Region, this would be another useful way to volunteer and help 4CS stay in touch with your needs and the interests of our classified colleagues.

E-board vacancies will arise from time to time. A great way to learn and contribute is to become a 4CS E-board member. We are all volunteers working for a common set of goals. Check out our mission statement and ask yourself if you would be willing to help as an E-board member. Please contact us if you are interested.

STATEWIDE ORGANIZATIONS

California Community College Board of Governors

(from: <http://www.cccco.edu/cccco/bog/index.htm>)

“The Board of Governors of the California Community Colleges sets policy and provides guidance for the 72 districts and 107 colleges which constitute the system. The 16-member Board, appointed by the state's Governor, formally interacts with state and federal officials and other state organizations. The Board of Governors selects a Chancellor for the system. The Chancellor, through a formal process of consultation, brings recommendations to the Board, which has the legislatively granted authority to develop and implement policy for the colleges. Additionally, each of the 72 community college districts in the state has a locally-elected Board of Trustees, responsive to local community needs and charged with the operations of the local colleges. The governance system of the California Community Colleges is one which uses processes of "shared governance.".

Legislation affecting the California Community Colleges is, for the most part, channeled through the Board of Governors and presented to the Legislature.

For further information, call:

(916) 445-5226

California Community Colleges

1102 Q Street

Sacramento, California 95814-6511”

California Community Colleges Chancellor's Office
(<http://www.cccco.edu/cccco/co/index.htm>)

Web site for the Chancellor's Office and the Community College System of California
<http://www.cccco.edu/>

“Chancellor Thomas J. Nussbaum is the Chief Executive Officer of the Board of Governors of the California Community Colleges system, and leads the work of the Chancellor's Office. The Executive Division consists of the Chancellor, the Executive Vice Chancellor, the Senior Advisor to the Chancellor, the Director of Internal Operations and support staff. The Chancellor's Weekly E-Mail can be accessed by clicking on the "Chancellor" button at left; the Chancellor's speeches and a complete listing of Executive Division staff can also be accessed on the Chancellor's page.

Programs administered by the Executive Division include the annual Budget Process, the Consultation Process, which is the California Community Colleges system's statewide shared governance program, the Board of Governors Agenda Process, oversight of the community college leadership academy, administrative support for the Board of Governors, along with administration of the internal operations of the agency.”

California Community College's Consultation Council

(from: <http://www.cccco.edu/cccco/bog/index.htm> &
<http://www.cccco.edu/cccco/consult/index.htm>)

“In March 1988, the Board of Governors adopted a process known as "consultation," through which a council composed of representatives of selected community college institutional and organizational groups, assist in development and recommendation of policy to the Chancellor and Board of Governors.

The council includes representatives from each of the following: chief executive officers, the Academic Senate, chief instructional officers, chief student services officers, chief business officers, chief human resources officers, chief student body government officers, faculty members, and community college organizations. The council meets regularly throughout the year. It develops and recommends policy, and reviews and comments on developed by other groups, locally-elected boards, and the Legislature.

The formal consultation process allows the massive community college system to advise the Chancellor, who makes recommendations to the Board of Governors on matters of policy. The purpose of the consultation process is to strengthen a system of communications, policy development, and review to ensure the quality and effectiveness of college operations and programs

Consultation

The community college governance structure established by the community college reform legislation (AB 1725 [Stats. 1988, Ch. 973], required the Board of Governors to establish and maintain a Consultation Process at the state level to ensure local community college district participation in system policy making (Ed. Code 70901(e)). In turn, local districts are required not only to employ participatory governance within their districts (Ed. Code § 70902(b)(7)), but to "participate in the consultation process established by the board of governors for the development and review of policy proposals." (Ed. Code § 70902(b)(14).)

The process established by the Board of Governors pursuant to this mandate has evolved over the years into a "Consultation Council" comprised of 18 representatives of institutional groups such as trustees, executive officers, students, administrators, business officers, student services officers, and instructional officers, and representative organizations, such as faculty and staff unions and associations. Pursuant to Education Code Section 70901(e), its purpose is to facilitate the participation of community college districts in the development of community college policy in order to insure that the best interests of the students, the system, and the state are served. The Consultation Council is chaired by the Chancellor and meets once per month to review and evaluate new policy proposals necessitated either by legal requirements or local need, appoint task groups to develop new policy proposals, review and provide advice on policy issues currently in development, and review and provide advice on the work of standing committees developing annual system proposals, such as the budget and legislative programs.

The formal Consultation Process allows the massive community college system to advise the Chancellor, who makes recommendations to the Board of Governors, on matters of policy. The purpose of the Consultation Process is to strengthen a system of communications, policy development, and review to ensure the quality and effectiveness of college operations and programs.

Statewide Organizations Associated with California Community Colleges

For a more complete list of statewide organizations and current contact information:

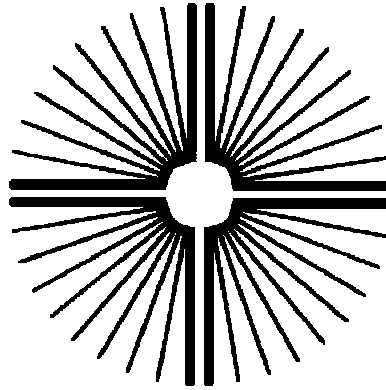
<http://www.ccleague.org/orgs2000.htm>

Academic Senate for the California Community Colleges
Accrediting Commission for Community and Junior
Action, Diversity & Equity Consortium-Southern
American Association of Community Colleges (AACC)
American Association of Women in Community Colleges
Asian Pacific Americans in Higher Education (APAHE)
Association of California College Tutoring and Learning
Association of California Community College
Association of Chief Business Officials (ACBO)
Association of Community and Continuing Education (ACCE)
Association of Chief Human Resources and Affirmative
Association of Community College Trustees (ACCT)
Association of Instructional Administrators (AIA)
Black Association of California Community Colleges
California Association of Community College Registrars &
California Association of Postsecondary Educators of the
California Association of School Bus Officials (CASBO)
California College & University Police Chiefs Association
California Community College Association for Occupational
California Community College Association of Academic
California Community College Chief Student Service
California Community College Classified Senate (CCCCS)
California Community College Council for Staff
California Community College Counselors Association
California Community College Early Childhood Educators
California Community College Ext Opportunity Prog & Serv
California Community College Independents (CCCI)
California Community College Real Estate Education Center
California Community College Student Affairs Association
California Community College Student Financial Aid
California Community College Trustees (CCCT)
California Community Colleges-Transfer Center Directors
California Cooperative Education Association (CCEA)
California Mathematics Council of Community Colleges
California Organization of Associate Degree Nursing
California Placement Association (CPA)
California Postsecondary Ed Commission (CPEC)
California School Employees Assoc. (CSEA)
California Student Aid Commission (CSAC)
California Student Association of Community Colleges
Center for The Study of Diversity in Teaching and Learning
Chancellor's Office of the California Community Colleges

Chief Executive Officers of the California Community
 Chief Information Systems Officers Association (CISOA)
 Chief Instructional Officers of the California Community Colleges (CIOCCC)
 College Board, The
 Commission on Athletics (COA)
 Community College Association/CTA/NEA (CCA/CTA/NEA)
 Community College Council/California Federation of
 Community College Educators of New Californians (CCENC)
 Community College Facility Coalition (CCFC)
 Community College Foundation (CCF)
 Community College Interest Group (CCIG - S)
 Community College Interest Group (CCIG - N)
 Community College Internal Auditors (CCIA)
 Community College League of California
 Community College MIS Consortium
 Community College Public Relations Organization (CCPRO)
 Community Colleges for International Education (CCIE)
 Consortium for Distance Learning
 Council for Postsecondary & Vocational Education (CPVE)
 Council of Chief Librarians (CCL)
 Economic Development Network (ED-Net)
 English Council of California Two-Year Colleges (ECCTYC)
 Association of California Community Colleges (FACCC)
 Foundation for the California Community Colleges (FCCC)
 Health Services Association CA Community Colleges (HSACCC)
 International Consortium for Ed and Eco Development (ICEED)
 Intersegmental Coordinating Council (ICC)
 Journalism Association of Community Colleges (JACC)
 LaRaza Faculty Association of California Community Colleges (LRFACCC)
 Latina Leadership Network of California Community Colleges (LLNCCC)
 League for Innovation in the Community Colleges
 Learning Resources Association of California Community Colleges
 National Council for Community Services and Continuing Education (NCCSCE)
 National Council for Continuing Education and Training (NCCET)
 National Council for Marketing and Public Relations (NCMPR)
 National Council for Occupational Education (NCOE)
 National Council for Staff, Program & Organizational Development (NCSPOD)
 National Council of Instructional Administrators (NCIA)
 National Institute for Staff & Organization Development (NISOD)
 Network of California Community College Foundations (NCCCF)
 Northern California Writing Centers Assoc.
 Northern Community College Consortium for Affirm Action
 Research and Planning Group for California Community Colleges (RP Group)
 Service Employees International Union/CSC (SEIU)
 Student Senate of the California Community Colleges (SSCCC)

Community College League of California

(<http://www.ccleague.org> & <http://www.ccleague.org/about.htm>)



“The Community College League of California is a nonprofit public benefit corporation whose voluntary membership consists of the 72 local community college districts in California. The League serves the districts in areas: education programs, research and policy analysis, fiscal services programs, governmental relations, communications, and governance of athletics.”

“It was formed in 1990 as the result of a merger of the California Association of Community Colleges, the California Community College Trustees and the Chief Executive Officers of the California Community Colleges.

Within the League are two major organizations which share a common mission, staff and fiscal resources: the California Community College Trustees (CCCT) and the Chief Executive Officers of the California Community Colleges (CEOCCC).

In addition, three other organizations are affiliated with the League: the Association of California Community College Administrators (ACCCA); the California Student Association of the Community Colleges (CalSACC); and the California Community College Classified Senate (CCCCS). ACCCA and CalSACC are located in the League's Sacramento office. The League affiliated organizations have many goals and objectives similar to CCCT and CEOCCC and recognize that the sharing of facilities and some resources helps strengthen those common purposes. Yet it also is recognized that the League affiliate maintains total independence to pursue the objectives of its members which on occasion may be at variance with the positions taken by CCCT and CEOCCC.

The Boards of the League CCCT has a 21 member board of directors elected by the 71 local governing boards. CEOCCC has a 12-member board of directors elected by the local community college chancellors, superintendents and presidents. These boards of the League meet approximately six times a year. At those meetings action is taken on education policy issues before the state Board of Governors and the legislature. Policy direction also is provided to staff concerning statewide educational policy, research initiatives, publications, workshops, and conferences.

To coordinate League organizations and their affiliates and to assure their adequate support, each organization selects representatives to serve on the League board. The League board establishes the budget and dues for the League, employs and evaluates an executive director, and approves a staff organizations structure. It also establishes and evaluates the annual education policy agenda and annual legislative program. The board includes three representatives each from CCCT and CEOCCC, two each from ACCCA and CalSACC, and one from the Classified Senate.

Committees

The CCCT and CEOCCC boards of the League are assisted in accomplishing their common goals and objectives through standing and ad hoc committees whose membership includes trustees, administrators, faculty, classified staff, and students. Presently the committees include the Advisory Committee on Education Services, Advisory Committee on Legislation and Finance, and the Future. Oversight of intercollegiate athletics is performed by the League's Commission on Athletics.”

California Community College Sites and Government Information and Web References

List of Community College Administrators, Organizations, Groups and Offices

http://www.foundationccc.org/CCC_dir/localadmin.asp

List of Community College Districts

http://www.foundationccc.org/CCC_dir/districts.asp

List of Community Colleges:

http://www.foundationccc.org/CCC_dir/colleges.asp

List of Community College Web sites:

http://www.foundationccc.org/CCC_dir/colwebsites.asp

CCLC Legislative Office Page / The Daily Report: Legislative Information Main Page

<http://64.77.10.158/leginfo/>

California State Assembly

<http://www.assembly.ca.gov/acs/defaulttext.asp>

California State Senate

<http://www.sen.ca.gov/~newsen/senate.htm>

Official California Legislative Information

<http://www.leginfo.ca.gov/index.html>

California Legislative Bill Information Search Site

<http://www.leginfo.ca.gov/bilinfo.html>

Office for the Secretary for Education

<http://www.ose.ca.gov/>

State of California

http://www.ca.gov/state/portal/myca_homepage.jsp?BV_SessionID=@@@@1162766063.0992628617@@@@&BV_EngineID=iallehifkfebemfckmchcng.0

Governor's Home Page

http://www.governor.ca.gov/state/govsite/gov_homepage.jsp?a=a&BV_SessionID=@@@@1162766063.0992628617@@@@&BV_EngineID=iallehifkfebemfckmchcng.0

Foundation for California Community Colleges

(<http://foundationccc.org>)

4CS Recognition



