

California Competes

Higher Education for a Strong Economy

For Immediate Release:

December 12, 2012

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California Competes Seeks to Overturn Regulations that Empower Academic Senates to Overrule Boards of Trustees

L.C. 1 aims to ensure input from students, faculty, staff, and the community gets full consideration

Oakland, CA – Today, California Competes filed a legal challenge with the California Community College (CCC) Board of Governors seeking to repair the broken decision-making process at the 112 local colleges in the system. The challenge would clarify that the locally-elected community college trustees are ultimately responsible for the operation of the colleges, and that faculty, students and staff should be consulted when policies are being considered. California Competes has labeled the filing L.C. 1.

“Millions of men and women rely on community colleges to help them compete in our 21st century economy,” said Robert Shireman, Executive Director of California Competes. “But illegal regulations increasingly harm our schools and students by creating a tangled bureaucracy that is unresponsive and unaccountable. The regulations are not only illegal, but they have also contributed to our community colleges’ national reputation for dispute and dysfunction.”

In 1990, the Board of Governors, who oversee the California Community College system, developed a set of regulations that granted local academic senates the ability to usurp the authority of local community college trustees. The trustees, under a law enacted two years early by the legislature, have the responsibility to gather input from faculty, staff, students and the community before making decisions. But the regulations allowed a faculty committee to trump everyone, even the trustees themselves.

Examples of how the current decision-making structure is preventing progress include:

- **Necessary problem-solving, action and decision-making at the colleges is not occurring.** At one college it took six years to finalize a reorganization of administrative staff because the academic senate sued to enforce its veto power. At another college it took nearly three years to write a strategic plan because participants insisted on consensus: no one could make the decisions necessary to move the process forward.
- **Problems with leadership, decision-making and clarity of roles were found in at least 20 of the 27 colleges facing sanctions** by the accrediting agency for community colleges. In one example, the accreditor found that “there is no responsibility or accountability because it is often unclear how or by whom decisions have been made.” Another college was “in a state of crisis” because of a power struggle between faculty, staff and management.

- **Diffused authority means colleges are often unable to put the pieces together to apply for outside support:** California received less than 5% of Department of Labor funds targeted at community colleges, even though our colleges enroll 23% of all community college students nationwide.
- **Difficulty in recruiting high-caliber community college leaders,** according to the state's Little Hoover Commission, "is partly attributable to the complexity of California's regulatory system."

"Political leaders are held accountable to the needs of their constituents. It should be no different at the community college level," said Mayor Bob Foster of Long Beach and Chair of the California Competes Council. "A more defined leadership structure in the local decision-making process for community colleges will positively impact millions of Californians."

L.C. 1 includes a recommended approach for revising the regulations. Under the new proposal, local governing boards would be required to seek input from faculty, staff and students on matters that affect them. On issues of academic standards, governing boards would be encouraged to defer to academic senates, and would be required to explain in writing any decisions that conflict with recommendations made by the academic senate.

"California will need 2.3 million more degrees and technical credentials by 2025 if we are to continue to be economically competitive," said Ken McNeely, President of AT&T California. "Community colleges provide one of the best opportunities to help us reach that number. We can and must make community colleges work better for our students."

Over the coming months, California Competes will work to raise awareness about the steps necessary to repair the broken decision-making bureaucracy at California's community colleges. Under the Board of Governors procedures the state Chancellor is required to provide a response to L.C. 1 within 45 days.

The legal challenge can be found [here](#).

Additional information about this issue can be found [here](#).

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California Competes: Higher Education for a Strong Economy develops non-partisan and financially pragmatic recommendations for improved policies and practices in California higher education. Opportunity, creativity, enterprise, efficiency, and growth are the hallmarks of economic development and the lens through which California Competes helps the state improve postsecondary education in order to drive economic growth and vibrant communities today and tomorrow. California Competes is a fiscally sponsored project of Community Initiatives.

More information about California Competes can be found at: <http://californiacompetes.org/>.