Whereas Title 5 Section 53200 (b) and KCCD Board Policy 6A3 state that the Academic Senate is to make recommendations to the administration of a college and to the governing board of a district with respect to academic and professional matters;

Whereas Title 5 Section 53200 (c) and KCCD Board Policy 6A4 state that “academic and professional matters” includes curriculum, including establishing prerequisites and placing courses within disciplines; and degree and certificate requirements;

Whereas Title Section 53200 (d) and KCCD Board Policy 6A6 state that “consult collegially” means that the district governing board shall develop policies to consult with the academic senate on academic and professional matters with the option to rely primarily upon the advice and judgment of the academic senate;

Whereas KCCD Board Policy 6A7 states that with respect to academic and professional matters listed in section 6A4, the Board of Trustees shall “rely primarily upon” the advice and judgment of the Academic Senates;

Whereas Title 5 Section 53203 (a) states that the governing board of a community college district shall adopt policies for appropriate delegation of authority and responsibility to its college and/or district academic senate. Among other matters, said policies, at a minimum, shall provide that the governing board or its designees will consult collegially with the academic senate when adopting policies and procedures on academic and professional matters;

Whereas Title 5 Section 53203 (b) states that in adopting the policies and procedures described in Subsection (a), the governing board or its designees shall consult collegially with representatives of the academic senate;

Whereas Title 5 Section 53203 (d)(1) states that The governing board of a district shall adopt procedures for responding to recommendations of the academic senate that incorporate the following: (1) in instances where the governing board elects to rely primarily upon the advice and judgment of the academic senate, the recommendations of the senate will normally be accepted, and only in exceptional circumstances and for compelling reasons will the recommendations not be accepted. If a recommendation is not accepted, the governing board or its designee, upon request of the academic senate, shall promptly communicate its reasons in writing to the academic senate;

Whereas KCCD Board Policy 6B4 states the Academic Senates may assume such responsibilities and perform such functions as may be delegated to them in writing by the Board of Trustees of the District pursuant to Section 53203(a) of Title 5;

Whereas KCCD Board Policy 6B5 states that each college Academic Senate and College administration shall agree upon written responsibilities delegated to the Academic Senate, but not limited to, academic and professional matters as defined in Section 53200 of Title 5, California Administration Code;

Whereas KCCD Board Policy 6C3 states that in instances where the Board of Trustees elects to rely primarily upon the advice and judgment of the Academic Senates, the recommendations of the Academic Senates shall normally be accepted, and only in exceptional circumstances and for
compelling reasons will the recommendations not be accepted. If a recommendation is not accepted, the Board of Trustees or its designee, upon request of the Academic Senates, shall promptly communicate its reasons for its action in writing to the Academic Senates;

Whereas KCCD Board Policy 6C states that the Academic Senates and the Board of Trustees shall consult collegially on such revised policies as outlined in Policy 6C, before adoption of said revised policies;

Whereas Minimum Graduation Requirements falls under the “academic and professional matters” as defined in Title 5;

Whereas unilateral removal of KCCD Board Policy 4D1F, Minimum Graduation Requirements from Board Policy over one year ago does not enable the Board of Trustees and the Academic Senate to consult collegially in violation of consultative requirements with the college Academic Senates as stated in Title 5 and KCCD Board Policy;

Whereas repeated requests by the Academic Senate at Bakersfield College and Bakersfield College representatives at the District Consultation Council to district administration to have the KCCD Board Policy 4D1F re-inserted into the Board Policy so that the consultative process can be followed have been ignored or otherwise not acted upon;

Whereas, it is legally permissible for colleges to have local graduation requirements for local associate degrees outside of the requirements of the associate for transfer degree;

Whereas, Bakersfield College has determined through a collegial consultative process that wellness is an important attribute of a generally educated person, and for the general population as well;

Whereas, the Bakersfield College Academic Senate has been assured repeatedly that the removal was a “clerical error”;

Therefore, be it resolved that the district administration re-insert the KCCD Board Policy 4D1F within one week of receipt of this resolution by the KCCD Chancellor; and further

Be it resolved that if the KCCD Chancellor does not re-insert the KCCD Board Policy 4D1F that she “promptly communicate” her reasons to the Bakersfield College Academic Senate in writing as required by Title 5 and KCCD Board Policy; and further

Be it resolved that such written communication take place within two weeks of receipt of this resolution by the KCCD Chancellor; and further

Be it resolved that the KCCD Chancellor develop processes and internal procedures with her administrative staff to ensure that consultation on academic and professional matters with the Academic Senates of the colleges can take place as required by Title 5 and KCCD Board Policy.

Passed unanimously by BC Academic Senate on March 5, 2014