

STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION

June 12, 2024

TOPIC: Board Policy 3-20, Due Process for Faculty

PRESENTED BY:

Angela Gramse, General Counsel

RELATIONSHIP TO THE STRATEGIC PLAN:

Transform our own workforce experience; Redefine our value proposition through accessibility, affordability, quality, accountability, resource development, and operational excellence.

EXPLANATION:

The System reviewed Board Policy (BP) 3-20 as part of its five-year review cycle. The revisions clarify the policy associated with Faculty due process and its application to employees holding regular Faculty contracts, as defined in BP 3-10.

Notably, this policy was last revised on June 7, 2002, predating the current policy and procedure structure within CCCS. Although the typical structure delegates procedural decisions to the Chancellor, at the request of the State Faculty Advisory Committee (SFAC), this policy will remain substantive concerning Faculty process and will delegate specific procedural details to the Chancellor.

The Chief Human Resources Officer gathered feedback from both a formalized sub-committee within SFAC and directly from Faculty not affiliated with SFAC. If approved, this policy revision will become effective on July 1, 2024, for the start of the new Faculty contract year.

After considerable Faculty feedback, the following represents a list of the substantive revisions to BP 3-20:

- The statement of precedent removes reference to college policies, which are not applicable and in no scenario would take precedence over Board Policy or System Procedure.
- Three of the grounds for dismissal, suspension, and disciplinary action for cause (insubordination, moral turpitude, and unethical conduct) are revised to add clarity.
- Language was added that requires College Presidents to work in accordance with their college shared governance framework to determine potential need for a reduction in force (RIF) and to allow an opportunity for consultation by impacted Faculty prior to any formal written notice of a planned RIF.
- When a RIF is necessary, language was added that requires a written business plan with justification for the reduction prior to its implementation.

- The revisions give Faculty the opportunity to be heard prior to a RIF. The grounds for conducting a RIF were not changed; however, this revision removes the peer review process as it relates to RIFs.
- Procedural content associated with establishing and running Faculty peer review committees, establishing program areas and service credits for Faculty, and the issuance and termination of Faculty contracts were moved to corresponding procedures.

The attached BP 3-20 reflects the substantive as well as non-substantive, editorial, and conforming changes. A redline version showing the details of all revisions is available upon request.

RECOMMENDATION:

General Counsel recommends the Board approve the revisions to BP 3-20.

ATTACHMENT(S):

BP 3-20 FINAL 06.12.24