



# HIGHER LEARNING COMMISSION

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May 14, 2020

President Joseph Sopcich  
Johnson County Community College  
12345 College Blvd.  
Overland Park, KS 66210-1299

Dear President Sopcich:

The interim report you submitted to our office has now been reviewed. The staff analysis of the report is attached.

On behalf of the Higher Learning Commission staff received the report on faculty voice within the shared governance system. No further reports are required.

The Open Pathway Assurance Review is scheduled for 2021 - 2022. The institution's next reaffirmation of accreditation is scheduled for 2027– 2028.

Please note: Revisions to HLC's Criteria for Accreditation will go into effect on September 1, 2020. Institutions will be evaluated against the revised Criteria for all reviews conducted after that date, including reviews related to previously assigned monitoring. Institutional reports submitted after September 1, 2020, that reference the Criteria should be written to the revised version. More information about the revised Criteria, including a crosswalk between the current and revised versions, is available on HLC's website at <https://www.hlcommission.org/criteria>.

For more information on the interim report process contact Lil Nakutis, Accreditation Processes Manager, at [lnakutis@hlcommission.org](mailto:lnakutis@hlcommission.org). Your HLC staff liaison is Linnea Stenson ([lstenson@hlcommission.org](mailto:lstenson@hlcommission.org)); (800) 621-7440 x 107.

Thank you.

HIGHER LEARNING COMMISSION



## STAFF ANALYSIS OF INSTITUTIONAL REPORT

DATE: May 14, 2020

STAFF LIAISON: Linnea Stenson

REVIEWED BY: Steven Kapelke

**INSTITUTION:** Johnson County Community College, Overland Park, KS

**EXECUTIVE OFFICER:** Dr. Joseph Sopcich, President

**PREVIOUS COMMISSION ACTION AND SOURCES:** An interim report is required by 5/1/2020 on faculty voice within the shared governance system at JCCC.

The report should include, at minimum, the following: 1) A narrative describing the College's efforts to resolve confusion pertaining to faculty voice, and in particular the resolution of the existing "two body" faculty governance issue; 2) Specific policies pertaining to faculty voice within the shared governance system that have emerged from these efforts; and 3) Documentation from FA and/or Faculty Senate policies providing clear delineation of responsibility and authority.

This interim report is a follow-up to an earlier interim report on academic governance structures.

**REPORT PRESENTATION AND QUALITY:** The Johnson County Community College interim report is presented in a clearly written narrative supported with several supplementary documents related to institutional governance. These include, but are not limited to, a document showing the "Proposed Structure for Shared Governance," the "Constitution and Bylaws of the Johnson County Community College Faculty Association," and an item headed "Johnson County Community College Institutional Shared Governance." Evidence provided in the report indicates that the document is thorough and candid.

**REPORT SUMMARY:** An introductory section of the report notes the creation of two task forces—the Academic Shared Governance Task Force and the Institutional Shared Governance Task Force (ISGTF). The report's content then focuses largely on the roles and responsibilities of these two bodies with respect to shared governance within the College.

According to the report, the Academic Shared Governance Task Force was created "*to research and provide a recommendation to the CAO on an appropriate policy structure*

*for faculty shared governance complete with an operational practices framework for the policy structure.”* This body consisted primarily of faculty representatives. This section of the report describes the workings of the task force, noting that it met weekly, operated with transparency, and focused on governance policy as it related only *“to the academic branch.”* Ultimately the Academic Shared Governance Task Force determined that a new governance structure, containing four elements, should be the focus of its deliberations. These four are 1) *equitable distribution of labor*, 2) *shared authority and responsibility*, 3) *communication*, and 4) *effective decision making*.

The task force communicated regularly with the full-time and adjunct faculty via email and maintained meeting minutes and documents on an internal server. The task force meetings were open to visitors. Here the report notes that the group posed several questions related to the four elements cited above, asking, for example whether the *“current governance structure foster[s] an equal distribution of faculty involvement and move decision making along in a reasonable fashion.”* The report also describes briefly the role of the Faculty Association (FA), the legal bargaining unit for all full-time faculty members at the College. However, the report states also that the Faculty Association’s role at the institution *“has always and continues to go beyond those tied to its legal status as a negotiating unit.”*

To receive input from the “Academic Branch” with regard to governance, the Academic Shared Governance Task Force administered an electronic survey, held listening sessions, and participated in two Town Hall meetings held *“in conjunction with the Institutional Shared Governance Task Force for the entire campus community.”* Subsequently, the task force conducted a vote on a new model for faculty governance within the Academic Branch; the new model was approved by the majority vote of the faculty and academic full-time staff. The new model eliminates the Faculty Senate from the academic governance model and replaces it with the Academic Branch Council (ABC).

Expectations for the ABC include these, as articulated in the report:

- *Topics that might impact specific stakeholders (to include but not be limited to existing branch committees) will be brought to those stakeholders for consideration.*
- *When stakeholders reach decisions the ABC will bring without prejudice the decisions of those stakeholders to the CAO.*
- *The ABC will commit to sharing all relevant information in order to facilitate the most educated decisions possible by the branch committees or by branch vote where deemed appropriate.*

Here the report also provides a membership list for the Academic Branch Council, which is broadly constituted from within the faculty, academic administration and academic staff. The report also cites these general areas where the ABC will submit recommendations to the Chief Academic Officer:

- *Appropriate Faculty-Making Issues*
- *Responsibility for All-Faculty Meeting*
- *Communication across the branch*

The second major section of the report, titled “Institutional Shared Governance Task Force,” outlines the responsibilities of that working group and describes the means by which it carried out its assigned tasks. Here the report lists the membership of the task force, which was constituted of administrators, faculty, staff and one student representative.

According to the report, the task force reviewed governance models from other institutions of higher education. These “were used as reference points when writing the institutional Philosophy Statement and designing the Operational Framework.” The ISGTF met every week, posted minutes for the campus community and hosted several meetings, including campus-wide Town Halls. The task force used feedback from these sessions in the development of the aforementioned documents before submission to the President’s Cabinet in March 2020.

The ISGTF recommended that the Cabinet appoint a follow-up task force “*to address staff voice on the campus,*” citing the “*lack of a formal structure to represent staff voice.*” The Cabinet subsequently approved the recommendation, and the Shared Governance Philosophy Statement was to be shared with the Board of Trustees at its April 2020 meeting.

In its “Summary,” the report notes the value of the work done by the two working groups, declaring, “*it has allowed the College to engage in meaningful discussions, and find areas of both disagreement and shared vision.*” The next phase of activities, as stated in the report, includes these short-term measures:

- *Appoint a Shared Governance Task Force to identify a mechanism for including staff in shared governance.*
- *Review and evaluate current bylaws and procedures for existing Committees and Task Forces to incorporate best practices identified in the Institutional Shared Governance Framework.*
- *Ensure current technology and resources, such as the College’s intranet, are available and ready to facilitate stronger communication of minutes and updates required of best practices identified.*

**REPORT ANALYSIS:** Materials presented in the Johnson County Community College interim report show that the institution has made substantive progress with regard to the areas of faculty and institutional governance identified in the Staff Analysis of the College's 2019 interim report.

Specifically, the institution has employed two task forces to study the issues of faculty and institutional governance and submit recommendations on these topics. Based on the evidence available in the report, it appears that both task forces undertook their work seriously and with due reflection, communicating their progress on a regular basis to their respective constituent groups, seeking input where appropriate, and, ultimately making recommendations that prompted change.

In the case of the Academic Shared Governance Task Force, the recommendation adopted by the faculty through majority vote eliminated the Faculty Senate as a governance unit and replaced it with the Academic Branch Council (ABC), as noted in the Report Summary section above. The expectations and responsibilities of the ABC are listed in the report's narrative. The also report notes that the faculty bargaining unit (the JCCCC Faculty Association--or FA) is the "*legally recognized bargaining agent representing all full-time faculty members at JCCC,*" and acknowledges that the FA's role at the College "*has always and continues to go beyond those tied to its legal status as a negotiating agent.*" An excerpt from the FA Constitution and Bylaws is shown below.

## Appendix A

### CONSTITUTION AND BYLAWS OF THE JOHNSON COUNTY COMMUNITY COLLEGE FACULTY ASSOCIATION

#### ARTICLE I NAME, PURPOSE, GOALS, AND GOVERNING BODY

##### Section 1: Name

The name of the Association is Johnson County Community College Faculty Association/KNEA/NEA.

##### Section 2: Purpose and Goals

The Purpose and Goals of the Association shall be:

1. To work for the educational welfare of all students at JCCC.
2. To work for the professional and personal welfare of the faculty and staff at JCCC.
3. To develop and promote the adoption of such ethical practices, personnel policies, standards of preparation, and performance as mark a profession.
4. To promote and develop a continuing program to improve instruction, to upgrade professional preparation, and to improve working conditions, fringe benefits and salaries, through formal negotiations with the Board of Trustees.
5. To enable members to speak with a common voice on matters pertaining to the teaching profession, and to present their individual and common professional interests before the Board of Trustees.
6. To hold property and funds for the attainment of these purposes.

With regard to the broader area of institutional governance, the report describes the activities of the Institutional Shared Governance Task Force (ISGTF), which researched governance models used by other institutions of higher learning. As with the Academic Shared Governance Task Force, the ISGTF communicated regularly with campus constituents regarding its activities and sought feedback through several channels. Ultimately setting forth Philosophy Statement and Operational Framework documents that were submitted to the President's Cabinet, along with a recommendation that the College form a "follow-up task force" to examine the issue of staff voice on campus. The Philosophy Statement crafted by the ISGTF is presented below.

### **Johnson County Community College Institutional Shared Governance**

#### **PHILOSOPHY STATEMENT**

Shared governance is a fundamental cornerstone of higher education. It fosters transparency, trust, and ensures that the best decisions are made to maintain academic values and support student success. Shared governance seeks informed and timely involvement in decisions regarding college policy by those affected and offers the opportunity for comment and discussion. It enlists wide participation in decision making and supports the mission, vision and priorities of Johnson County Community College.

Shared governance at Johnson County Community College will rely on the following principles:

- Open communication and collaboration throughout the institution
- Processes grounded in respect, collegiality, community and cooperation in the best interest of the institution
- Clear communication of the decision-making process
- Participation in decision making by different representative groups based on constituents' responsibilities, interests and expertise
- Sufficient time and notice in decision-making processes for the inclusion of relevant voices
- Respectfully allowing for diverse views and opinions

**Analysis Concluding Statement:** The Higher Learning Commission recognizes the progress made by JCCC with regard to faculty and shared governance. The evidence shows clearly that the institution's efforts in these areas have brought about some fundamental change, most notably in faculty governance where the Faculty Senate has been removed as the primary agent for faculty governance and supplanted by the Academic Branch Council.

Similarly, in the area of institutional governance, the work of the ISGTF has resulted in carefully crafted statements about shared governance and a recommendation to pursue through the work of an additional task force, the subject of staff voice within the College.

**The Higher Learning Commission acknowledges the institution's progress to date and will not require additional reporting on these matters.** However, both areas of governance will require additional attention on the part of the organization to ensure that recommended changes will be implemented and respected. (Please see the Staff Finding section below.) One aspect of faculty governance that is still unclear and needs further explication is that of the traditional role of the faculty with regard to stewardship of the curriculum and instructional matters, including those of instructional/educational

support. It is unclear from the report and the additional documentation, exactly where the authority and responsibility for this resides. The JCCC interim report suggests that the bargaining unit (FA) has been involved in areas of interest beyond those articulated in the collective bargaining agreement, but it isn't clear if those are meant to include matters of curriculum and instruction. This is an area the institution may wish to review further.

The College should assume that the HLC Peer Review Team responsible for the institution's next Open Pathway Review will examine closely the institution's continued progress in these areas of governance—and specifically the College's implementation of changes described in this report and additional clarity where required.

**STAFF FINDING:**

Note the relevant Criterion, Core Component(s) or Assumed Practice(s): Core Component 5.B pertaining to faculty and institutional governance

Statements of Analysis (check one below)

Evidence demonstrates adequate progress in the area of focus.

Evidence demonstrates that further organizational attention is required in the area of focus.

Evidence demonstrates that further organizational attention and HLC follow-up are required.

Evidence is insufficient and a HLC focused visit is warranted.

**STAFF ACTION:** Receive the report on faculty voice within the shared governance system. No further reports are required.

The Open Pathway Assurance Review is scheduled for 2021 - 2022. The institution's next reaffirmation of accreditation is scheduled for 2027– 2028.