

MEMORANDUM

Joint Statement of Concern - Academic Senate and United Professors of Marin

TO: Executive Leadership, College of Marin

FROM: Maria Coulson, Academic Senate President;

Timothy Wat, United Professors of Marin (UPM) President

DATE: July 6, 2026

RE: Concerns Regarding Published Dean of Instruction: Arts & Humanities Job Description - Title 5 and Collective Bargaining Agreement (CBA) Issues

We are writing with concerns about the above-mentioned job description posted on jobs.marin.edu. It repeatedly attributes primary ownership over several academic and professional matters for which California Code of Regulations, Title 5 §53200-53203 (the "10+1") establishes faculty primacy or collegial consultation, and in several instances assigns responsibilities that are governed by negotiated provisions of the collective bargaining agreement. We are submitting this memo jointly because many of the concerns implicate both frameworks at once, and we want the District to have a single, consolidated account of the issues.

While we imagine this description reflects a good-faith effort to capture the full breadth of the role, our review identified a recurring pattern. Throughout the Essential Functions list, verbs that connote unilateral administrative authority (plan, evaluate, control, adjudicate, oversee) are applied to functions that Title 5 and/or the CBA assign primarily or jointly to faculty. Most notably, these include curriculum and standards development, program review, academic support program design, and faculty evaluation and grievance processes. The specific instances are detailed in the table below, organized in the order they appear in the document.

Job Description Language	Concern	Title 5 / CBA Basis
"...designs and recommends student academic support services and activities..." (Bullet 1); "...develops, analyzes and implements curriculum standards to meet student objectives..." (Bullet 2)	Places the Dean as the developer/implementer of curriculum standards and the designer of academic support services. Curriculum design and the standards used to evaluate student academic support are core faculty purview, not administrative design functions. Faculty should be the ones developing these standards, with the Dean supporting and facilitating.	Title 5 §53200(c)(1) & (4)-(5) (10+1 Areas 1, 4, 5 - curriculum; educational program development; student prep/success standards); Ed. Code §70902(b)(7)

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"Plans, implements and evaluates short- and long-range strategies, goals and objectives... program review..." (Bullet 1)	Program review is a faculty-led process under 10+1 purview. Administration should participate and support the work, not plan, implement or evaluate it. The way the job description is written, the relationship and responsibilities of faculty and administration appear to be inverted, which is difficult to reconcile with Title 5.	Title 5 §53200(c)(9) (10+1 Area 9 - program review)
"...controls... the work of division and department directors, faculty, classified managers and staff..." (Bullet 3)	"Controls...the work of...faculty" is dangerous language. Deans supervise operationally, but the professional and academic judgment exercised by faculty in their disciplines is not subject to administrative control. The word choice risks encroaching on academic freedom and on areas where faculty retain primacy.	Title 5 §53200(c) generally (10+1 areas of faculty primacy); Academic Freedom is codified in the CBA (Article 2), Board Policy 4030 and joint District, UPM, and Academic Senate Statement March 2026
"...oversees, facilitates and/or acts as a final adjudicator in faculty, staff, student and community conflict resolution and grievance processes; chairs and oversees tenure-track faculty, probationary and part-time faculty evaluation and review processes..." (Bullet 4)	"Final adjudicator" in grievance matters, and "oversees" applied broadly to faculty evaluation, conflicts with defined grievance and evaluation procedures, which assign specific roles (including peer evaluators) and defined decision points that a job description cannot unilaterally reassign.	Conflicts with grievance (Article 24) and faculty evaluation (Article 7) procedures in the CBA
"Directly... plans, directs and develops programs to support instructional and work-based learning including instruction through multiple modalities, apprenticeships, internships, clinical placements and job placement services... develops customized workforce training solutions." (Bullet 7)	Describes the Dean as the direct developer of instructional programs and modalities. Program and curriculum development - including how instruction is delivered - is a 10+1 matter belonging to faculty. The itemized list which includes clinical placements and workforce training solutions do not apply to the Arts and	Title 5 §53200(c)(1) & (4) (10+1 Areas 1, 4 - curriculum; program development)

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	Humanities areas. This raises a question of whether this description has been sufficiently scoped to the specific portfolio of the Arts and Humanities instructional division.	
"Collaborates with K-12 partners... develops pathway maps... develops and implements summer experiences..." (Bullet 8)	Overlaps with duties that appear to sit with the Director of Outreach and Community Partnerships. This raises a role-clarity and potential duplication-of-duties question.	Organizational/role-clarity issue (not itself a Title 5 citation, but should be resolved so duties are not assigned to two positions at once)
"...provides guidance to and receives recommendations from the Academic Senate..." (Bullet 10)	This inverts the statutory relationship. This language reverses the consultive relationships established by Title 5. The Academic Senate is not an advisory body receiving guidance from an instructional dean; rather, the District consults collegially with the Academic Senate, and, in identified academic and professional matters, relies primarily upon its recommendations. Title 5 requires the district to consult collegially with, and rely primarily on the recommendations of, the Academic Senate on the 10+1 areas, not for the Dean to provide "guidance to" the Senate. "Receives recommendations from" also falls short of "rely primarily upon," which is the operative standard for 10+1 matters.	Title 5 §53200(d) and §53203(d)(1) (collegial consultation; rely primarily upon) Board Policy 3260 "In accordance with the provisions of the Title 5 of the California Education Code, the Board of Trustees of the Marin Community College District (MCCD) shall rely primarily on the advice and recommendations of the Academic Senate in the following matters:..."
"Advocates for the use of technology to deliver instruction and services to students, while reserving human resources to provide personal assistance and	Prescribes an instructional-delivery philosophy in an administrator's job description. Decisions about instructional methodology and delivery mode are curriculum and program-development matters	Title 5 §53200(c)(1) & (4) (10+1 Areas 1, 4); academic freedom principles

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developmental activities for students." (Bullet 13)	that belong to faculty; embedding an advocacy position here also raises academic freedom concerns.	

Additional Note

- A typographical error was also noted in the currently posted version of this description; we recommend a full proofread pass before republication.

Requested Action

Our concern is not that the Dean should play a significant leadership role in these activities. Rather, the concern is that the current language describes the Dean position in a manner that appears to assign unilateral administrative authority in areas where California law and the collective bargaining agreement intentionally establish faculty primacy, collegial consultation, or negotiated procedures. We believe the position description should accurately reflect those governing frameworks and should not be read to alter responsibilities and purview that are established by Title 5 or the collective bargaining agreement.

We respectfully suggest that the position description be revised to more accurately illustrate the role of the Dean within those frameworks. As currently written, the document appears to incorporate responsibilities drawn from multiple administrative functions without sufficient tailoring to the specific portfolio of this position. The result is language that, in several places, overstates the Dean's authority in areas where Title 5 contemplates a faculty-led or consultative process, which in turn gives rise to many of the concerns identified above.

We believe these concerns can be addressed through modest revisions that more accurately reflect the respective roles of administration, faculty, the Academic Senate, and the collective bargaining agreement.

We appreciate the opportunity to bring these concerns forward at this stage of the hiring process and would welcome the opportunity to work collaboratively with the District to ensure the position description accurately reflects the respective responsibilities established by Title 5, Board policy, and the collective bargaining agreement.

Respectfully,



Maria Coulson
President, Academic Senate



Timothy Wat
President, United Professors of Marin (UPM)