

ARTICLE 22. FACULTY SERVICE AREAS

22A. Structure of Faculty Service Areas (FSAs)

Faculty Service Areas (FSAs) are established according to the Disciplines List, as adopted by the State Board of Governors of California Community Colleges, including any subsequent modifications thereof. The Faculty Association and the District shall utilize the “Minimum Qualifications for Faculty and Administrators in California Community Colleges” document as adopted by the Board of Governors of the California Community Colleges and posted on the California Community College State Chancellor’s website. The latest version of the Disciplines List shall be on file in the Office of Academic Services (OAS) and the Office of Student Services (OSS).

Faculty Service Areas are assigned on the basis of competency. All unit members, including all full-time faculty and educational administrators with retreat rights who are competent and eligible to qualify for an FSA in which the faculty member has met ~~either~~ both minimum qualifications or and District competency standards set forth below. (Education Code Section 87743.3.)

Once a minimum qualification (MQ) or FSA is earned, it is valid for life, and cannot be lost by (1) resignation and subsequent rehire within ten (10) years; (2) loss of employment due to layoff or non-rehire, and then subsequent re-hire within (10) years; (3) service as an administrator and subsequent “retreat” to the faculty; or (4) changes to the minimum qualification or FSA requirements while an active employee.

22A.1 Minimum Qualifications.

Every unit member who possesses a credential authorizing California Community College service shall be deemed to have met minimum qualifications for purposes of serving in the discipline named. (Education Code section 87355.)

22A.2 Competency Standards.

A unit member will be considered to have demonstrated competency in a particular FSA if the unit member has satisfied one of the following requirements:

- a. Possess a Master’s degree or other advanced degree from an accredited institution in the teaching field; or
- b. Possess a Subject Matter Area Credential, i.e., is eligible to teach those primary disciplines listed on the credential or in the “Minimum Qualifications for Faculty and Administrators in California Community Colleges” (October 1997) (including subsequent revisions) and any certificate or license required in the discipline; or

- c. Possess the Minimum Qualifications for a teaching discipline as outlined in "Minimum Qualifications for Faculty and Administrators in California Community Colleges" (October 1997) (including subsequent revisions) and in conjunction with the Board of Governors minimum qualifications regulations (Title 5 Sections 53400-430) or the equivalent which refers to the possibility of hiring faculty who do not possess the exact degrees listed. The use of equivalency in the Chabot-Las Positas Community College District specifies that an individual who is eligible for the applicant pool must have academic preparation at least equal to that for the required degree, or must have the degree, and/or experience equivalent to the required degree as determined by the District Equivalency Committee. (See Chabot-Las Positas Community College District Qualifications & Equivalencies for Employment); or
- d. (To receive an additional FSA, the unit member with a Master's degree) must have completed in the additional discipline the equivalent of 24 semester units, of which 12 must be upper division or graduate level; or
- e. (For counselors or librarians) have performed in the District the duties at least 20% of the hours per week indicated for a full load in assignment described in [Article 10](#) of this Agreement, for at least three (3) different quarters/semesters, in addition to the Master's degree or equivalent; or
- f. (In those fields not requiring a Master's degree), possess the combination of degree and work experience as stipulated in the "Minimum Qualifications for Faculty and Administrators in California Community Colleges" (October 1997), including subsequent revisions.

22B. Cross-Listed Courses

~~A unit member teaching a course cross-listed in more than one discipline who meets the minimum qualifications, or has an equivalency for only one discipline in the cross-list, is eligible to earn an FSA only in the discipline in which the unit member meets the minimum qualifications or competency standard.~~

A unit member who is eligible to teach a course that is cross-listed in different disciplines may teach that course in either discipline.

22C. Initial Assignment of Faculty Hired After Adoption of Policy

22C.1 Initial Procedure

A nNewly hired unit member may request and receive advice by a designated representative from the Academic Senate and the Office of Academic Services (for faculty assignments within its jurisdiction) or the Office of Student Services (for faculty assignments within its jurisdiction) in filing appropriate FSA documents.

The Office of Academic Services will assign FSAs for that portion of assignment outside Student Services.

Upon request, the Faculty Association shall be given a list of every FSA assigned to every unit member, both Full-time and Part-time (Adjunct).

22C.2 Verification of Qualifications

The Office of Academic Services (~~OAS~~) or Office of Student Services (~~OSS~~) verifies academic and professional qualifications and assigns FSAs subject to the appeals process outlined in [Section 22E](#) below.

22D. Annual Application Process

22D.1 Application Schedule

(See Appendix: [FSA: Record Form](#))

The opportunity for unit members and Educational Administrators ~~on Staff~~ to apply for initial or additional FSAs shall occur annually.

22D.2 Information for Application

On implementation of this ~~Article policy~~, Academic Senate, Office of Academic Services AS, and Office of Student Services SS representatives will provide assistance to all divisions for the purpose of providing information to faculty members on the FSA application process.

22D.3 Assistance in Application

The Faculty Association and Academic Senate will, in consultation with management, design forms that lead each faculty person through the process of self-identifying appropriate FSAs.

22D.4 Submission of Application

Applications shall be submitted on forms approved by the Office of Academic Services and AS/Office of Student Services SS (see Appendix: [FSA: Record Form](#)).

22D.5 Application Deadline

All applications for a new or additional FSA must be submitted to and received by ~~OAS~~ Office of Academic Services or ~~OSS~~ Office of Student Services on or before February 15 (Education Code 87743.3).

A faculty applicant under this ~~Article policy~~ must be ~~either~~ a member of the bargaining unit when the application is made or an educational administrator with retreat rights, or a unit member ~~on~~ in layoff status with rehire rights under the Education Code or the Collective Bargaining Agreement.

22D.6 Academic Credential Verifications

It will be the responsibility of ~~OAS/OSS~~ Office of Academic Services and/or Office of Student Services, as appropriate, to verify academic credentials and claims for FSA eligibility. The ~~OAS/OSS~~ Office of Academic Services and/or Office of Student Services shall issue its decision on any application by March 15.

22D.7 Filing of Approved Applications

Approved FSA assignments will be forwarded to the applicant's Personnel File.

22D.8 Denial of Application

Failure of a unit member to have demonstrated competency in accordance with minimum qualifications and competency standards outlined in [Section 22A.2](#) above shall constitute a basis for denial of the unit member's application.

22D.9 Notice of Denial

Denials of FSA applications will be forwarded in writing to the unit member by March 15. The denial shall specify the deadline for filing an appeal with the District Equivalency Committee. The denial shall set forth the basis for its action with reasonable particularity (see Appendix: [FSA: Approval/Denial Form](#)).

22E. Appeal Process

22E.1 Appeal to District Equivalency Committee

A unit member who believes this policy has been applied in error may appeal to the District Equivalency Committee (DEC) citing the specifics of the ~~perceived~~ alleged misapplications, misinterpretations and/or violations.

22E.2 Members of District Equivalency Committee

~~Membership of T~~ the DEC District Equivalency Committee (DEC) panel which considers to resolve disputes shall include a representative appointed by the Faculty Association, a representative appointed by the Academic Senate of the applicant's college, and two a-representatives of the ~~OAS/OSS~~ Office of Academic Services and/or Office of Student Services from the applicant's college of service. In the event of a tie, a fifth member shall join the DEC from either the Office of Academic Services or the Office of Student Services.

No person with an FSA or Equivalency or potential FSA or Equivalency in the discipline which is the subject of the application shall serve in the Appeal's process.

22E.3 Role of the Faculty Association

~~Unit members may request assistance from the Faculty Association in challenging any FSA denial.~~

The Faculty Association is entitled to represent the interests of the unit member(s) denied an FSA.

22E.4 Appeal Timeline

Unit members denied an FSA shall be informed by both Regular and Certified U.S. Mail, return receipt requested. Any appeal must be filed with the District Equivalency Committee within seven (7) fourteen (14) days of receipt of the notification. workdays after the decision of the OAS/OSS has been received by the unit member.

22E.5 Documentation

Applicants are responsible for providing needed documentation. The applicant, Faculty Association, and District shall cooperate in providing records pertinent to an application.

22E.6 Responsibility of District Equivalency Committee

DEC members shall review the terms of each appeal carefully to assure valid application of those provisions.

22E.7 Timeline for Decision

The DEC shall issue its decision as a recommendation to the Vice President of the Offices of Academic Services or the Vice President of the Office of Student Services within fourteen (14) calendar days after an appeal has been filed. The DEC shall specify the basis for its decision with reasonable particularity.

22E.8 Grievance

Final decisions by the DEC are subject to further appeal pursuant to the grievance procedure set forth in the Collective Bargaining Agreement (Education Code 87743.3) and within the provisions set forth below. There shall be no Level I step of the grievance procedure and the written grievance shall be filed at Level II within fourteen (14) thirty-five (35) days after the decision is served by the DEC. The DEC shall cause its decision to be served personally or by certified mail, return receipt requested.

Hereinafter, the grievance shall follow steps as outlined in Collective Bargaining Agreement.