

Human Resources

**AP 7211 FACULTY SERVICE AREAS, MINIMUM QUALIFICATIONS,
AND EQUIVALENCIES**

References:

Education Code Sections 87001, 87003, and 87743.2;
Title 5 Sections 53400 et seq.

FACULTY SERVICE AREAS

Faculty service areas shall correspond to the Disciplines List as adopted by the Board of Governors of the California Community Colleges. The term “competence,” as related to the Faculty Service Areas (FSA), will be defined as meeting the minimum qualifications approved by the Board of Trustees.

If a Faculty Member possesses minimum qualifications, they are granted an FSA in accordance with the procedure described in the collective bargaining agreement.

MINIMUM QUALIFICATIONS

Faculty shall meet minimum qualifications established by the Board of Governors, or shall possess qualifications that are at least equivalent to the minimum qualifications set out in the regulations of the Board of Governors.

There are three types of minimum qualifications associated with the various disciplines:

- Disciplines requiring a master's degree
- Disciplines in which a master's degree is not generally expected or available but which requires a specific bachelor's or associate degree
- Disciplines in which a master's degree is not generally available

For instructors of noncredit courses, the minimum qualification shall be the same as the minimum qualifications for credit instruction in the corresponding discipline [Title 5, §53412].

In addition to other minimum qualifications specified, the minimum qualifications for a faculty member teaching any credit or noncredit course shall include a current, valid certificate to work or license to practice in California, whenever the instructor's possession of such a certificate or license is required for program or course approval (usually in technical fields) [Title 5, §53417].

All degrees and units used to satisfy minimum qualification shall be from accredited institutions [Title 5 §53406], post-secondary institutions accredited by an accreditation agency recognized by either the U.S. Department of Education or the Council on Post-secondary Accreditation; not to mean an institution "approved" by the California Department of Education or by the California Council for Private Post-secondary and Vocational Education.

Foreign Education completed outside of the United States must be deemed equivalent to that gained in conventional/accredited U.S. education programs to be equivalent. Determination of equivalency of foreign degrees shall be according to district policy. [Title 5, §53410].

Minimum qualifications are determined for disciplines or service areas, not for individual courses or subject areas within disciplines. Within area disciplines, an applicant is either qualified to teach the full range of courses in a discipline or not, regardless of whether applying for a full-time or part-time position.

Candidates shall not be assigned or permitted to start work until the evaluation of minimum qualifications has been completed.

EQUIVALENCIES

The process to review Equivalency Requests is intended neither to raise nor to lower standards from the minimum qualifications established for a position, nor is it intended to grant waivers in lieu of required qualifications. Where CLPCCD minimum qualifications and standards are higher than the state minimum qualifications, those local qualifications shall prevail.

The equivalency committee described in the collective bargaining agreement shall fulfill the requirement of Education Code Section 87359, which states that the equivalency process "shall include reasonable procedures to ensure that the Governing Board relies primarily upon the advice and judgment of the Academic Senate to determine that each individual employed under the authority granted by the regulations possesses qualifications that are at least equivalent to the applicable minimum qualifications..."

Applicants for all faculty positions and those current faculty members who are applying for a Faculty Service Area (FSA) who do not possess the exact degree or experience specified in the approved discipline list will apply for equivalence.

The equivalency committee shall:

- Be available to screening and selection committees as a resource regarding equivalency determinations.
- Review the decisions of the screening committees.
- Further clarify the criteria to be used for determining equivalency.
- Ensure that careful records are kept of all equivalency determinations.
- Periodically review this procedure and recommend necessary changes to the Academic Senate and Board of Trustees.

- In general, ensure that the equivalency process works well and meets the requirements of the law.

Determination of Equivalencies

The following procedure is to be used to determine when an applicant for a faculty position, although lacking the exact degree or experience specified in the Disciplines List of the Board of Governors that establishes the minimum qualifications for hire, nonetheless does possess qualifications that are at least equivalent to those required by the Disciplines List. The procedure is intended to ensure a fair and objective process for determining when an applicant has the equivalent qualifications.

All faculty position announcements will state the required qualifications as specified by the Disciplines List, including the possibility of meeting the equivalent of the required degree or experience.

District application forms for faculty positions will ask applicants to state whether they meet the minimum qualifications of the Disciplines List or whether they believe they meet the equivalent. Those claiming equivalency will then be asked to state their reasons and to present evidence. It will be the responsibility of the applicant to supply all evidence and documentation for the claim of equivalency at the time of application.

The three means of demonstrating equivalency are:

1. Degree Equivalence

The employee or applicant possesses a degree or degrees with similar content to those listed for the relevant discipline; or the name of the degree(s) is slightly different to that specified on the current Disciplines List in the Minimum Qualifications for Faculty and Administrators in CA Community Colleges, but the degree area of expertise or the coursework is close or the same.

2. Academic Background Equivalence

a. Related to disciplines in which a Master's degree is not generally expected or available: The District may elect to award equivalency for faculty teaching in vocational disciplines that do not require the master's degree.

- **Semester units/occupational experience:** 120 semester units (which includes general education) AND two years of occupational experience in the discipline; or, 60 semester units (which includes general education) AND six years of occupational experience in the discipline; or 30 semester units or industrial certification AND eight years of occupational experience in the discipline. Note; all semester or equivalent units must all be earned from a regionally accredited postsecondary educational institution.

- **Related occupational experience:** May be substituted by teaching experience in the discipline or related discipline on a year-for-year basis.
- **Recency:** An individual employed to teach a vocational discipline shall demonstrate a competency in the current technology of that discipline.
- **Rare exceptions:** In the rare case that an individual does not specifically meet the equivalency provisions as stated in the above sections, and the department chair, the full-time faculty in that discipline (if applicable), supervising instructional administrator and Vice President for Academic Affairs or Student Services agrees that the person is otherwise qualified to teach in that discipline, that individual's qualifications may be recommended to the District Equivalency Committee as deemed "*equivalent*" for that discipline.

- b. Related to disciplines in which a master's degree is required: The employee or applicant must have completed a master's degree and the equivalent of twenty-four (24) semester units in the additional discipline, of which twelve (12) semester units must be upper division or graduate level.

3. Eminence

Eminence and experience are not synonymous, though a candidate with eminence will clearly have significant experience in the field. Eminence, as evidenced by prominence and celebrity, is established by the specific industry and/or community at large. Clear and verifiable eminence in the discipline may be acknowledged by written statements by experts in the discipline and/or evidenced by the production of tangible products (such as published works or invited presentations to discipline-related professional organizations) that would require a depth and breadth of knowledge in the discipline comparable to the degree-level work. Determination of eminence should be based upon a conviction that the candidate, if considered by recognized authorities in the field, would have an eminent reputation. The applicant may provide documentation supporting the status of eminence. The college may also seek other avenues to verify the eminence of the candidate. Eminence alone is not sufficient to grant equivalency. The applicant must provide clear and preponderant evidence of his or her understanding of the principles of teaching and that he or she possesses the skills necessary to teach effectively at the community college level. Recognition of eminence must extend beyond the geographic area of the District.

It shall be the responsibility of the employee or applicant to provide supporting documentation, such as official transcripts, credentials, licenses, certificates, employer attestations, publications, etc. that will validate the equivalency request. Verification that an applicant meets minimum qualifications (directly or through equivalency) will occur prior to consideration for employment. It shall be the responsibility of the applicant to provide Human Resources with a complete application and all documentation

(transcripts, credentials, teaching experience and verification of work experience) necessary to evaluate their qualifications.

For Full time instructors who are requesting an equivalency for an FSA, follow the procedure outlined in the collective bargaining agreement.

Applicants for Full-Time Faculty Positions

The Stage One committee will first screen all qualified applicants, assuming that those claiming equivalency are in fact equivalent. Once applicants have been selected for interview, those claiming equivalency will have their claims examined by the Stage One Committee prior to being interviewed.

The Stage One committee shall send its decisions concerning equivalency and non-equivalency to the District Equivalency Committee before candidates are notified of interviews. The equivalency committee will review the decisions of the screening, asking the following questions:

- Was the decision made in accord with this procedure?
- Specifically, did the Stage One committee follow the criteria for evidence of equivalency stated in this procedure?
- Are the Committee's decisions consistent with similar decisions made by earlier committees in this discipline or similar disciplines?

Only applicants who are found to meet the test of equivalency shall be selected for interview.

The District Equivalency Committee shall employ the following procedures in emergencies or special circumstances:

- In case a candidate to be offered a part-time or temporary position is also an equivalency claimant, the appropriate area administrator shall make a recommendation. This recommendation shall be forwarded to the District Equivalency Committee.
- The District Equivalency Committee will review the recommendation and either accept or reject it. If the candidate is acceptable, the department is free to extend the job offer.
- If an applicant for equivalency disagrees with the decision, the applicant may appeal by submitting new written documentation or clarification. This appeal must be submitted within ten working days after the applicant has received notification of the committee's decision. The applicant may make an oral statement explaining this new material to the original committee. The committee will deliberate again privately, and the committee's decision shall be final. If a unanimous decision cannot be reached, the equivalency is not granted and the appeal process ends.
- For the purposes of this procedure, an emergency or special circumstance is defined as a situation in which the full hiring process cannot be carried

out in a timely manner. Such situations may include, but are not limited to the following:

- Vacancies that occur shortly before the beginning of a session in which there is not sufficient time for the full equivalency process to take place.
- Additional sections of a class added shortly before the beginning of a session or after the session begins.
- An unforeseen opportunity, occurring shortly before the beginning of a session, to staff sections in locations, venues, or subject matter specialties for courses which previously have been difficult to schedule (certain off-campus sites, contract education, short courses, etc.).

Further information on faculty service areas, minimum qualifications, and equivalencies can be found in the faculty collective bargaining agreement.

Date Approved: February 16, 2016

(This is a new procedure recommended by the Policy and Procedure Service)