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December 4, 2025

VIA EMAIL

MEMORANDUM

TO: Nekoda Harris, Vice President of Human Resources, Marin Community College District;
Mia Robertshaw, General Counsel, Marin Community College District

FROM: Matthew T. Besmer, Partner

RE: Equivalency Processes and Requirements

Pursuant to your request, this memorandum addresses College of Marin's ("COM") equivalency procedure and provides recommendations for revising the procedure to align it with statutory and regulatory requirements and best practices.

I. Legal Requirements for Equivalency Procedure

Faculty hired to teach for credit and noncredit community college courses must meet the minimum qualifications prescribed by the Board of Governors. (Educ. Code, §§ 87356, 87357.) California Code of Regulations Title 5, sections 53400 to 53430 set forth the Board of Governors prescribed minimum qualifications. In turn, the California Community College Chancellor's Office handbook entitled *Minimum Qualifications for Faculty and Administrators in California Community Colleges* provides a by-discipline list of minimum qualifications for instructional faculty. (See Minimum Qualifications Handbook.)

When a person's education and experience do not match the minimum qualifications prescribed by the Board of Governors, a district may still employ the person if their education and experience are "equivalent" to the prescribed minimum qualifications.

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In this regard, Education Code section 87359 and California Code of Regulations, Title 5, section 53430 outline the legal requirements for employing persons based on equivalency. Those requirements include the following:

1. A governing board must determine that a person “possesses qualifications that are at least equivalent to the minimum qualifications specified in regulations of the board of governors adopted pursuant to Section 87356.” (Educ. Code, § 87359 subd. (a); see also Cal. Code Regs., tit. 5, § 53430.)
2. When hiring based on equivalency, “[t]he criteria used by the governing board in making the determination shall be reflected in the governing board’s action employing the individual.” (Educ. Code, § 87359 subd. (a); see also Cal. Code Regs., tit. 5, § 53430.)
3. The process and the criteria and standards for determining equivalency “shall be developed and agreed upon jointly by representatives of the governing board and the academic senate, and approved by the governing board.” (Educ. Code, § 87359 subd. (b); see also Cal. Code Regs., tit. 5, § 53430.) The mutually agreed upon process must include the following:
 - a. That the governing board “relies primarily upon the advice and judgment of the academic senate” that persons employed possess “qualifications that are at least equivalent to the applicable minimum qualifications specified in regulations adopted by the board of governors.” (*Ibid.*)
 - b. The governing board must provide the academic senate with an opportunity to “presents its views” before it makes the determination that a person satisfies the minimum qualifications through equivalency. (*Ibid.*)
 - c. A written record of the decision, including the views of the academic senate, must be available for periodic inspection under Education Code section 87358. (*Ibid.*)

Other than these requirements, the Education Code and Title 5 permit districts and academic senates to develop local procedure, standards, and criteria for determining equivalency.

II. COM’s Equivalency Procedure

Administrative Procedure (“AP”) 7211 prescribes COM’s procedure for determining equivalency. This regulation requires an “Academic Senate Equivalency Committee” do the following:

- Be available as a resource regarding equivalency determinations.
- Recommend all equivalency determinations.
- Further clarify the criteria to be used for determining equivalency.

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- 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

Under AP 7211, at the time of application, all faculty applicants are required to state whether they satisfy the prescribed minimum qualifications of the discipline or whether they possess equivalent qualifications. “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.” (AP 7211.)

Human Resources is required to screen applicants and forward applicants requesting an equivalency determination to the “Academic Senate’s Equivalency Committee or designee,” which is required to “submit its recommendation and evaluation concerning equivalency and non-equivalency to Human Resources.” (AP 7211.)

AP 7211 further states that,

The Academic Senate 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 Equivalency 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

According to AP 7211, “[t]he District may elect to award equivalency for faculty teaching in vocational disciplines that do not require the master's degree.”

Without any explanation or clarifying language, AP 7211 states the following at the end of the regulation:

- **Semester units/experience:** 120 semester units AND two years of experience in the discipline; or sixty (60) semester units AND six (6) years of experience in the discipline. **NOTE:** All semester or equivalent units must all be earned from a regionally accredited postsecondary educational institution.

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- **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 of Student Learning and Success agree that the person is otherwise qualified to teach in that discipline, that individual's qualifications may be recommended to the Academic Senate Equivalency Committee chair as deemed "equivalent" for that discipline

AP 7211 also includes information regarding the procedure to be used in “an emergency or special circumstance.”

AP 7212 prescribes the equivalency determination process for part-time faculty, which differs from the process set forth in AP 7211. AP 7212 states as follows,

If the applicant has applied for a minimum qualification equivalency or Human Resources is unable to determine if a candidate meets the minimum qualifications for a position, the application materials will be sent to the Academic Senate's designee(s). An Equivalence Committee, made up of the Academic Senate president or designee(s) and one or two discipline faculty, will review applications to determine equivalency. (See AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies)

In addition to AP 7211 and AP 7212, on September 9, 2010, the Academic Senate adopted a document entitled *Procedure for Determining Equivalency for Full and Part-Time Faculty Positions*. This document contains an equivalency procedure that conflicts with AP 7211 and 7212, and includes some standards and criteria for determining when education or experience constitute the equivalent of prescribed minimum qualifications. It is unclear whether this document was mutually agreed upon by the COM's Board (or designee) and the Academic Senate.

COM also has a webpage regarding the standards for equivalency, which appears different from what is published in AP 7211 and the Academic Senate document. (Equivalency for Faculty and Educational Administrators | Human Resources.)

In all, COM has four different documents each with different and conflicting standards and procedures for determining equivalency (specifically, AP 7211, AP 7212, the Academic Senate procedure, and the COM webpage.)

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III. Compliance Requirements and Recommendations

This section provides recommendations for updating COM's equivalency procedure to ensure compliance with legal requirements and best practices.

- **Recommendation 1: Adopt a single document containing the equivalency procedure, standards, and criteria.**

As noted above, COM has four different documents that conflict and include different standards and procedures for determining equivalency. COM should adopt one document that is mutually agreed upon by its Governing Board (or designee) and the Academic Senate for determining equivalency. The document should include the roles and responsibilities for relevant constituent groups in the equivalency process, as well as the standards and criteria upon which equivalency is determined. While one document is recommended, each applicable constituent group may have their own operating procedures provided those procedures fit within and support the agreed-upon process.

- **Recommendation 2: The equivalency procedure should clearly and comprehensively set forth the process and criteria for equivalency.**

COM's current procedure is ambiguous leading to confusion as to the process and standards agreed upon for determining equivalency. It's unclear whether the Academic Senate's procedure adopted on September 9, 2010, was agreed upon by the Governing Board, or whether the criteria stated on the COM equivalency webpage was agreed upon by the Academic Senate.

The Governing Board (or designee) and the Academic Senate must have a shared and agreed upon understanding of how equivalency is determined, so that when the Governing Board approves a hire based on equivalency, the criteria used is reflected in the Board's action and is available for inspection under Education Code section 87358. Also, the Governing Board's decision must make clear that the Academic Senate has had an opportunity to express its views on the equivalency determination. The role of the Academic Senate in the current procedure is not clear because AP 7211 ambiguously states that the Academic Senate Equivalency Committee makes equivalency recommendations, and then other sections state the a "designee" may make the recommendation.

For your convenience and consideration, we have attached example equivalency processes from other institutions to illustrate options for updating COM's procedure.

- **Recommendation 3: The Academic Senate should formally establish the Equivalency Committee as a standing subcommittee with bylaws or operating procedures.**

The make up and role of the COM Equivalency Committee is currently not clear, including because certain functions may alternatively be performed by a committee designee. The Governing Board

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(or its designee) should mutually agree upon the well-defined role of the Equivalency Committee. In turn, the Academic Senate should establish the committee as a standing subcommittee with transparent bylaws or operating procedures. The subcommittee would be covered by the Brown Act and required to transact business in accordance with open meeting requirements.

Formalizing the role, make up, and existence of the Equivalency Committee would ensure that the Academic Senate's recommendations and views (through the committee) are properly presented and considered by the Governing Board before it hires a candidate based on equivalency as required by Education Code section 87359.

The composition of the Equivalency Committee should be public and determined by the Academic Senate. Recognizing the need to ensure subject matter experts (i.e., discipline faculty) are consulted when determining equivalency, COM could establish an equivalency procedure whereby discipline representatives from the department review equivalency applications and make recommendations to the Equivalency Committee for approval. For example, one institution submits equivalency petitions to the relevant department for review, and the department makes recommendations to the equivalency committee. Only petitions approved by both the department and the equivalency committee are forwarded to human resources and ultimately the governing board for approval.

- **Recommendation 4: The equivalency procedure should include an opportunity for candidates to appeal negative decisions.**

From our review, COM currently does not have an appeal procedure if a faculty candidate disagrees with the equivalency determination. We recommend developing an appeal procedure.

IV. Conclusion

Thank you for the opportunity to provide an opinion on these matters. Please let us know if you have any questions or would like to discuss any of these issues.

CHAPTER 3: Certificated Personnel ADMINISTRATIVE Procedure NO. 3.05.1(AP 7211)

ADMINISTRATIVE PROCEDURE
San Mateo County Community College District

Subject: 3.05.1 - Minimum Qualifications, Faculty Service Areas and Equivalency to
Minimum Qualifications

Revision Date: February 2020

References: Ed Code 87355, 87356, 87357, 87358, 87359(b), 87659, 87743.1 - 87743.5

Procedures for verifying faculty qualifications, equivalency process and process for being placed in additional faculty service areas (FSAs):

I. Faculty Minimum Qualifications:

All applicants for part-time and full-time faculty positions must meet the Minimum Qualifications for the discipline exactly as stated, or request equivalency. It is the applicant's responsibility to apply for equivalency as stated in Form 1, Part A of this procedure and also via the District application process.

II. Establishing additional FSAs:

1. Faculty wishing to establish an additional Faculty Service Area (FSA) must meet the Minimum Qualifications for the discipline exactly as stated in the statewide Minimum Qualifications List (Disciplines list), or request equivalency. The process is completed via the form in Form 2 of this procedure.
2. If the faculty member meets the Minimum Qualifications exactly as stated in the statewide Minimum Qualifications List (Disciplines list), application materials for an additional FSA may be submitted to the appropriate Vice President for consideration of assignment to an additional FSA.
3. If the faculty member does not meet the Minimum Qualifications exactly as stated in the statewide Minimum Qualifications list (Disciplines list), it is the faculty's responsibility to apply for equivalency as stated in Section III of this procedure.

III. Process for establishing equivalency:

1. The individual applying for equivalency must provide conclusive evidence to support their request (official transcripts, credentials, licenses, certificates, employer attestations, publications, etc.) for equivalency.
2. All equivalency requests are reviewed by the Faculty Equivalency Committee (FEC).
3. The FEC is convened by the local Academic Senate President from the hiring college, or designee, upon request by the screening committee chair.

4. The FEC shall consist of three faculty discipline experts representing the three colleges in the district and one non-discipline faculty member appointed from the District Academic Senate's Equivalency sub-committee. In addition, a Dean from the division in which the discipline is located, from a college other than the hiring college, will serve as co-chair of the FEC with the faculty member appointed by the District Academic Senate.
 - a) If there are no faculty currently in the discipline at the hiring college, the Academic Senate President shall either seek additional member(s) from one of the other colleges in the District, and/or invite discipline experts from another California Community College District.
5. The deliberation process of the five-member Faculty Equivalency Committee (FEC) shall be closed and confidential.
6. All communication of the FEC shall be a) in person, b) via conference call, or c) via District video conferencing platform. All communications regarding the equivalency should involve all committee members. Email should not be used to discuss the work of the equivalency committee.
7. The FEC evaluates the equivalency to Minimum Qualifications of individuals based on the Minimum Qualifications for Faculty and Administrators in California Community Colleges. This equivalency process 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 San Mateo County Community College District standards are higher than the state Minimum Qualifications, the District qualifications shall prevail.
8. The three means of demonstrating equivalency are as follows:
 - a) Degree Equivalence

The employee or applicant possesses a degree(s) with similar content to those listed for the relevant discipline. The name of the degree is close to that specified on the Disciplines List but the degree either has a different title or area of expertise or the coursework is slightly different. Equivalence is established through analysis of transcripts and coursework.
 - b) Academic Background Equivalence

Related to disciplines in which a Master's degree is not generally expected or available. The employee or applicant must have completed at least 24 semester units (or equivalent) of coursework in the academic field being applied for, and must possess at least the equivalent level of achievement and the equivalent in breadth, depth of understanding, and rigor in each of the following:

 - i. a broad cultural education usually met by the general education requirements for any Bachelor's or Associate's degree, and
 - ii. a detailed study of the discipline in breadth, depth, and rigor, usually met by course work required for the degree major.
 - c) Professional Achievement Equivalence

The employee or applicant must have completed the general education requirements for any Bachelor's or Associate's degree, and show evidence of outstanding professional achievement and/or substantial training in the requested field. The employee or applicant must submit substantial evidence, which demonstrates that their preparation, teaching experience, work experience, and ability are equivalent to those expected from a person who meets the minimum qualifications.

9. The equivalency process will be completed before interview of the candidate applying for equivalency. Human Resources (HR) will provide the FEC with the information provided by the candidate to determine equivalency no less than three (3) working days prior to the meeting of the FEC. The FEC will complete its work within ten (10) working days of the initial request.
10. Provisional equivalency is not allowed. The employee or applicant must be determined to meet the minimum qualifications prior to an interview being offered to the candidate applying for equivalency.
11. The equivalency process is intended to be anonymous, such that the identity of the candidate applying for equivalency is not known to the FEC. All information provided to the FEC will, to the greatest extent possible, have identifying information removed or redacted by HR.
12. If the FEC determines that it does not have enough information from the candidate to make a determination of equivalency, additional information may be requested from the candidate. Such requests for additional information shall be facilitated by the responsible administrator on the FEC, with the request being made to HR and communicated by HR to the candidate. All additional information should be submitted by the candidate, in writing, within three (3) days of the request. Additional information should be provided to HR before being provided to the FEC.
13. Apart from requests for more information, outside entities are not permitted to influence or in any way affect or interfere with the FEC deliberation process.
14. The FEC will document the recommendation of each member of the committee in writing. The signature page, once complete, must be presented to all voting members prior to being sent. Each member of the FEC will indicate whether or not they recommend equivalency for the candidate based on the evidence provided. The recommendation regarding equivalency will reflect the majority of the members of the FEC.
15. The written recommendation of the FEC, based on the recommendation of the majority of the five member FEC, will be forwarded by the responsible administrator (Dean) to the appropriate college Vice President who will, with the Academic Senate president, make a recommendation to the college president. Upon concurrence of the college president, the equivalence recommendation will be forwarded to the Board of Trustees for consideration. A copy of the Board action will be placed in the employee's personnel file.
 - a) Education Code §87359(a) requires that the governing board take action on the equivalency before hiring occurs. Equivalencies shall be forwarded to HR to be placed on a Governing Board agenda.
16. If the President does not concur with the recommendation of the FEC and/or the college Vice President and Academic Senate President, the justification and reasoning will be

communicated, in writing, to the FEC the Academic Senate President, and the District Academic Senate, within ten (10) working days.

17. The final recommendation will be documented by HR and records kept of all decisions.

18. The procedure for reviewing equivalency requests for additional FSAs is as follows:

- a) The Faculty requesting equivalence for the purpose of an additional FSA will submit the application to the local Academic Senate President to be reviewed by the Faculty Equivalency Committee (FEC).
- b) The Academic Senate will convene a FEC annually, no later than November 15th of each year, to review equivalency requests from current faculty applying for additional FSAs.
- c) The written recommendation of the FEC will be forwarded by the responsible administrator (Dean) to the appropriate college Vice President and local Academic Senate president, who will each make a recommendation to the appropriate college president. The college president will make a final equivalence recommendation. If the college President recommends that equivalency be granted, the recommendation will be forwarded to the Board of Trustees for consideration. A copy of the Board action will be placed in the employee's personnel file.
- d) If the equivalency is granted, the appropriate Vice President will complete the process of assigning the additional FSA.

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)



Book	Administrative Procedures
Section	Chapter 7 - Human Resources
Title	Faculty Service Areas, Minimum Qualifications, and Equivalencies
Code	AP 7211
Status	Active
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Administrative Procedure
Chapter 7 - Human Resources

AP 7211

FACULTY SERVICE AREAS, MINIMUM QUALIFICATIONS, AND EQUIVALENCIES

I. Faculty Service Areas

Faculty service areas shall be established after negotiation and consultation as required by law with the appropriate faculty representatives.

II. Minimum Qualifications

All academic personnel must meet minimum qualifications as set forth in the Board of Governor's Discipline Lists and Title 5.

For purposes of employment, Napa Valley Community College District recognizes only associate, baccalaureate, and higher-level degrees from accredited U.S. institutions or from foreign institutions whose degrees are judged to be equivalent.

U.S. institutions of higher education must be accredited by one of the six regional accrediting associations: Middle States Association of Colleges and Schools, New England Association of Schools and Colleges, North Central Association of Colleges and Schools, Northwest Association of Schools and Colleges, Southern Association of Colleges and Schools, or Western Association of Schools and Colleges.

Foreign transcripts must be evaluated by one of the organizations approved by the State of California, Commission on Teacher Credentialing.

The equivalency procedure outlined in Section III Equivalencies shall be applied to applicants who request an equivalency of the minimum qualifications established by the Board of Governors and Title 5.

III. Equivalencies

All academic personnel must meet minimum qualifications as set forth in the Board of Governor's (BOG) Disciplines List and in Title 5 of the California Code of Regulations. Districts are authorized to establish local policies and practices for determining equivalence to the minimum qualifications.

This administrative procedure establishes criteria and procedures for the application of equivalencies to the minimum qualifications as established in Section II Minimum Qualifications. The standards and practices set forth in this Procedure shall be applied to determine the qualification for hire of candidates for credit or noncredit assignments who state they possess education, training, and/or experience at least equivalent to the minimum qualifications established by Title 5.

Introduction

The Napa Valley Community College District (NVCCD) has established hiring procedures and guidelines that provide for academic personnel who:

- Are highly qualified in their field and committed to extending their expertise through professional development
- Are skilled in teaching and/or counseling students
- Expand the perspectives and expertise of their respective departments and the college as a whole
- Communicate effectively, both orally and in writing
- Demonstrate intercultural competence, which includes but is not limited to sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, gender expression, sexual orientation, and ethnic backgrounds of community college students
- Are equity-minded
- Embrace their roles as collaborative partners in support of the mission of California Community Colleges in general and the specific values and goals of Napa Valley College

The Board of Trustees, represented by the Administration, has the principal legal and public responsibility for ensuring an effective hiring process. The faculty, represented by the Academic Senate, has a professional responsibility to develop and implement policies and procedures governing the hiring process, in order to ensure the quality of its faculty peers. Essential to fulfill these responsibilities are the standards and practices to determine when an applicant for a faculty position, though lacking the exact degree or experience specified in the BOG Disciplines List and in Title 5 as minimum qualifications, nevertheless does possess qualifications that are at least equivalent, to allow consideration of the applicant as part of the applicant pool.

Equivalency Review Team

A four-member Equivalency Review Team (ERT) consisting of the following members shall conduct determination of Equivalency to Minimum Qualifications for Service:

- First Vice President of the Academic Senate, as Chair of the Faculty Business Committee
- Appropriate Program/Department Coordinator, or designee
- Division Dean, or designee
- One additional faculty member serving as a representative of the Academic Senate. If a second faculty member is not available, the ERT will continue the process.

The ERT may consult with the Office of Academic Affairs and the Office of Human Resources, Training, and Development as appropriate.

Standards

The granting of equivalency is on a case-by-case basis. Equivalency may be achieved by course work, work experience, or a combination thereof. Equivalency may never mean lesser qualifications than the published minimum qualifications. At the time of recruitment, districts may establish local qualifications beyond the minimum standards defined in the Disciplines List.

A candidate who claims equivalent qualifications shall be responsible for providing conclusive evidence, as clear and reliable as the college transcripts being submitted by the other candidates, that they have qualifications at least equivalent to those required by the minimum qualifications. The candidate shall also be available for interview or examination, if requested. All material provided shall remain in the individual's applicant file or personnel file.

Under no circumstances is the granting of equivalency to the minimum qualifications to be construed as a determination that a candidate shall or shall not be interviewed or hired. Once granted equivalency, the candidate shall be placed in a pool of qualified applicants, any number of whom may be considered for a given position. Applicants granted equivalency and subsequently hired, whether on a full- or part-time basis, maintain that status for their entire career in the Napa Valley Community College District.

Each district establishes its own equivalency process, and equivalency is not transferable from district to district. Therefore, when academic personnel apply for a position in another district, they may need to go through that district's equivalency process.

As stated in the Minimum Qualifications Handbook from the Chancellor's Office, minimum qualifications, and therefore equivalencies, are determined for disciplines, not for subject areas or courses within a discipline.

The ERT should determine equivalency based on the conclusive evidence before it. Provisional or conditional equivalency should not be granted. Therefore, an applicant is either qualified to teach a full range of courses in a discipline or not, regardless of whether applying for a full- or part-time position.

This process resolves only whether the applicant has the equivalent of the minimum qualifications to be included in the applicant pool, not whether they will be interviewed or assigned a course to teach. Districts have flexibility in how to develop criteria and employ processes to select administrators and instructors. Deans and Program Coordinators may decide to assign specific courses to a qualified applicant.

Qualifications

Napa Valley College expects that some candidates may meet the minimum qualifications through the equivalency process. Candidates who have completed all the appropriate coursework for a particular degree but do not possess the specific degree named on the BOG Disciplines List may possess equivalent qualification, which may be in the form of academic coursework and/or degrees, work experience, or a combination thereof. An applicant making such a claim must provide conclusive evidence of meeting the requirements stated below.

Faculty hiring falls into three categories as identified by the BOG Disciplines List:

- Disciplines Requiring a Master's Degree
- Disciplines Requiring a Specific Bachelor's or Associate Degree and Professional Experience
- Disciplines Requiring any Degree and Professional Experience

Equivalence to Academic Degrees

To establish equivalence to the academic degree requirements for the categories above, the candidate must possess at least the equivalent in level of achievement and in breadth, depth of understanding, and rigor for each of the following as separate and distinct criteria:

- A broad cultural education, usually met by the General Education requirement for any bachelor's or associate's degree.
- A detailed study of the discipline in breadth, depth, and rigor, usually met by course work required for the degree major.

A candidate must provide conclusive evidence of fulfilling both criteria above to be considered to possess the equivalent of the degree in question.

The following criteria shall be applied to determine equivalence:

1. Formal Education Equivalent to the Master's Degree:

- a. Master's degree in a related discipline as identified in the BOG Disciplines List or approved by the Equivalency Review Team, including 15 semester units or 22.5 quarter units of graduate and upper division course work within the discipline specified in the job announcement, at least 12 semester units or 18 quarter units of which must be at the graduate level.
- b. Bachelor's degree in the discipline of hire or a related discipline as identified in the BOG Discipline's List or approved by the Equivalency Review Team, plus 30 additional semester units or 45 additional quarter units of upper division or graduate course work in the discipline specified in the job announcement, 12 (or 18) of which are at the graduate level and the remainder at the upper division level or higher.

2. Formal Education Equivalent to the Bachelor's Degree:

At least 120 semester units, including 18 semester units or 27 quarter units representing a diversity of courses generally accepted as general education and, for disciplines that require a master's degree, 30 units or 45 quarter units in the discipline specified by the job announcement, of which 24 (or 36) are upper-division or

graduate units.

3. Formal Education Equivalent to the Associate's Degree:

At least 60 semester units or 90 quarter units, including 18 semester units or 27 quarter units representing a diversity of courses generally accepted as general education.

4. Professional Experience or Eminence Equivalent to Academic Degrees:

In determining equivalency, it is permissible for the ERT to consider professional experience or eminence as being commensurate to academic preparation or to any of the above academic degrees. In such cases the ERT should proceed with extreme caution and thorough, deliberate consideration. Such cases should be rare and place a substantial burden of proof upon the applicant.

a. Equivalency for disciplines requiring Master's degree

1. To be awarded equivalency, an applicant who does not possess the required Master's or specific discipline/focus within the Master's degree as required must provide detailed, objective, and conclusive evidence of preparation at least equivalent to the required degree.
2. Applications for equivalency based upon work experience must include objective, detailed and conclusive evidence of work experience that demonstrates preparation and knowledge at least equivalent to that gained from academic programs and coursework leading to the required Master's degree in the Disciplines List. The number of years of work experience alone is insufficient evidence for equivalency.
3. Applications for equivalency based upon eminence must include objective, detailed and conclusive evidence of a level of achievement and recognition in the specified discipline that is widely acknowledged by multiple authorities in the field as outstanding and of exceptional merit, as verified by the Screening/Interviewing Committee. Such evidence must be generally acknowledged to be at least equivalent to the knowledge and experience obtained in a Master's degree program in the discipline.

b. Equivalency for disciplines that do not require a Master's degree

The District may elect to award equivalency for faculty teaching in vocational disciplines that do not require the Master's degree-based upon one or more of the following criteria:

1. Units as indicated above from a regionally accredited postsecondary educational institution. At minimum, coursework taken must satisfy basic general education requirements for an Associate degree as stated in the California Education Code.
2. Related occupational experience may be substituted by teaching experience in the discipline or related discipline on a year-for-year basis.
3. Part-time occupational experience may be substituted for full-time occupational experience when the breadth of responsibilities and the number of hours worked meets or exceeds the minimum full-time experience requirement.
4. Recency: An individual employed to teach a vocational discipline shall demonstrate a competency in the current technology of that discipline.

Evidence

It is the candidate's responsibility to request equivalency at the time they submit the application and to provide conclusive evidence that they possess qualifications at least equivalent to those required. The conclusive evidence must be as clear and reliable as college transcripts submitted by other candidates.

Conclusive evidence for general education, major, or experience requirements shall be one or more of the following:

- Transcript(s) demonstrating that the applicant successfully completed appropriate courses at a regionally accredited college or equivalent foreign institution whose accredited status is recognized by the District.

- Publications demonstrating the applicant's command of the major in question, their general education, or their writing skill.
- Other products that show the applicant's command of the major or occupation in question.
- Skills demonstration or verifiable evidence of the applicant's professional performance, professional and/or public recognition, professional presentations, computer software development or applications, or related training.
- Verification of the applicant's employment history for professional or occupational work experience.

Process

Screening of applications shall occur in accordance with the District hiring policy mutually agreed upon by the Academic Senate and Board of Trustees. At the request of the Office of Human Resources, Training and Development, in consultation with the Selection Committee Chair, the Equivalency Review Team shall screen all applications requesting qualification through equivalency for each active search.

The Equivalency Review Team shall review applications requesting equivalency or referred to equivalency review in accordance with the standards and qualifications set forth in this procedure. Applications that are determined to meet the standards for equivalence to minimum qualifications shall be included for full consideration by the appropriate selection committee. Applications determined to not meet equivalence to minimum qualifications by the Equivalency Review Team will not be included in the applicant pool.

Noncredit Applications

Applications requesting equivalency for non-credit applicants shall be reviewed and approved by the Office of Academic Affairs.

Emergencies

The Napa Valley College hiring policies define hiring emergencies and establish standards and practices for emergency hiring. Emergency hires requesting or requiring equivalency review will adhere to the same process outlined in this document. If the nature of the emergency does not allow for the full equivalency review process, the chief instructional officer and the president of the Academic Senate or designee can mutually agree to review the applicant's file and grant equivalency for a period not exceeding one semester, if applicant meets all criteria for equivalency. Equivalencies granted under this emergency clause must be re-reviewed through the regular equivalency process before applicant may be offered further assignments.

Faculty Seeking to Serve in an Additional Discipline

Faculty already employed under a contract may acquire new assignments only if they meet the requirements specified in the BOG Disciplines List, possess qualifications that are at least equivalent to those specified in the BOG Disciplines List, or possess an appropriate credential. After consulting with the appropriate program coordinator, faculty should submit their written request and evidence of qualification to the chief instructional officer for review. The chief instructional officer may recommend, or the faculty may request, evaluation by the Equivalency Review Team. The process delineated above shall be used to review the application to serve in an additional discipline and determine whether the applicant meets the equivalency requirements. Granting equivalency does not guarantee course assignment.

Interpretation

This policy and its standards and procedures shall be interpreted to be consistent with applicable provisions of the Education Code and Title 5 of the California Code of Regulations.

Review and Revision

This policy and its standards and procedures are subject to review and revision at the request of the Academic Senate or the Board of Trustees. The Board of Trustees will rely primarily on the advice and judgment of the Academic Senate in establishing policies and procedures for Equivalencies to Minimum Qualifications (Education Code § 87359(b)).

The process, as well as criteria and standards by which the governing board reaches its determinations regarding faculty members, shall be developed and agreed upon jointly by representatives of the governing board and the academic senate, and approved by the governing board. The agreed upon 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 faculty member employed under the authority granted by the regulations possesses qualifications that are at least equivalent to the applicable minimum qualifications specified in regulations adopted by the board of governors. The process shall further require that the governing board provide the academic senate with an opportunity to present its views to the governing board before the board makes a determination, and that the written record of the decision, including the views of the academic senate, shall be available for review pursuant to Section 87358.

Legal

[Education Code Sections 87001 and 87003](#)

[Education Code Section 87743.2](#)

[Title 5 Sections 53400 et seq.](#)

[ACCJC Accreditation Standard 3](#)

AP 7211 Faculty Service Areas, Minimum Qualifications, and Equivalencies

Reference: *Education Code Sections 87001, 87003, 87355-87359.5, 87743.2*
Title 5 Sections 53022, 53400 et seq.

Faculty Service Areas

Faculty Service Areas (FSAs) have been established during the negotiations process and consultation as required by law with the faculty bargaining unit. The requirements around FSAs can be found in Article 18.1 of the faculty contract. As indicated in the contract, FSAs are used as part of determining retreat rights, seniority rights, and bumping rights in times of reduction in workforce and/or services.

Minimum Qualifications

The Ohlone Community College District is committed to hiring highly-qualified faculty who are experts in their fields, skilled in teaching and providing student support services, and who serve the needs of a diverse student population. The District shall employ faculty who possess the minimum qualifications that equal or exceed those established by the California Community Colleges Chancellor's Office, as published in the most recent version of "Minimum Qualifications for Faculty and Administrators in California Community Colleges" and referenced in this procedure as the "Disciplines List."

In addition to the minimum qualifications specified in the Disciplines List, any hiring requirements set forth by discipline-specific accrediting bodies (such as in the health sciences) shall also be followed.

As established in BP 2510, the Faculty Senate has primary responsibility for the placement of courses within disciplines, and this directly relates to faculty responsibility in determining minimum qualifications. Discipline faculty have the option of making local minimum qualifications for their discipline more restrictive than those in the Disciplines List. Such a restriction should be carefully considered and must be presented to the Faculty Senate for consideration and approval. Once approved by the Board of Trustees, the restricted minimum qualifications for the discipline will be kept on record in the Human Resources office to ensure its use in job announcements within the discipline.

The minimum qualifications are for the discipline as a whole (not individual courses or assignments) and are the same for full-time and adjunct faculty positions. In all cases, the possession of the minimum qualifications (whether directly or through equivalency) does not guarantee an offer of employment.

Equivalencies

Equivalency, as defined in California Education Code section 87359, California Code of Regulations, Title 5, section 53430, and by the Academic Senate of the California Community Colleges, was established to credit those whose preparation is at least equal to the state-adopted minimum qualifications as defined in the Disciplines List. Equivalency does not give the District the authority to waive or lower standards and accept less-qualified individuals, and that is in no way our intent. Instead, equivalency provides the opportunity to consider applicants that may have taken non-traditional paths in acquiring the same knowledge base and skill set as those who have taken the more traditional approach to minimum qualifications. The District recognizes that the importance of equivalency is directly connected to our commitment to diversity, equity, and inclusion.

The Ohlone Community College District has developed the procedure below for determining whether an applicant for a faculty position has equivalent minimum qualifications.

Equivalency Committee

The Faculty Senate shall establish an Equivalency Committee that will oversee the equivalency procedure at the College to ensure that, as far as disciplines allow, the same standards are applied in each case uniformly. This oversight includes suggesting improvements to this procedure, creating and modifying forms to facilitate the process, and developing support resources, all of which will require approval by the Faculty Senate. For each faculty position being filled, the Equivalency Committee will work in conjunction with full-time faculty from the discipline in assessing equivalency applications, as detailed later in this procedure. The Equivalency Committee will also provide resources and assistance to ensure that there is a college-wide understanding of the equivalency procedure, particularly by those faculty, staff, and administrators that are involved in faculty hiring, and also to promote clarity for potential applicants for faculty employment at the College.

The Faculty Senate will appoint one full-time faculty member to serve as Chair of the Equivalency Committee, along with at least 3 other full-time faculty to serve as members of the committee. The faculty on the committee shall make all equivalency decisions for the committee and shall come from diverse disciplines, ideally with at least one member coming from a discipline in which a master's degree is not generally expected or required (as defined in the Disciplines List). The Vice President of Academic Affairs (VPAA) or designee will serve in an advisory capacity to the Equivalency Committee. Additionally, a representative from Human Resources will be designated as a consultant for the Committee, should the need arise.

Categories of Minimum Qualifications (MQs) and Equivalency

- “Direct MQs”: In the situation where the applicant possesses the educational degree(s) and other criteria exactly as listed in the discipline minimum qualifications, the applicant will be determined to have Direct MQs. The applicant must supply transcripts (and other documentation when requested) to be verified by Human Resources staff and the hiring committee chair. There is no need for equivalency justification or assessment in this case.
- “Indirect MQs”: In the situation where the title of the educational degree that the applicant possesses does not exactly match what is listed in the discipline minimum qualifications, but examination of the degree's course work reveals it to be the same course work as the degree that is listed, the applicant will be determined to have Indirect MQs. In addition to supplying the transcript(s), the applicant may choose to submit a course by course comparison with the corresponding degree at a different accredited college or university to establish the equivalence. The application for Indirect MQs must be assessed by at least two full-time faculty from the discipline (or related discipline when necessary), typically from the hiring committee, and their decision is final. The discipline's Dean and the Equivalency Committee Chair shall provide assistance to the discipline faculty making this assessment, should they request it.
- “Equivalency Portfolio MQs”: Applicants who do not have Direct MQs or Indirect MQs for the minimum qualifications as listed in the job announcement must complete the Equivalency Portfolio Form and provide evidence that their combination of education, training, and professional experience affords them the same depth and breadth of knowledge and skills as would be achieved through the established minimum qualifications (see below for Equivalency Portfolio Criteria). Applications for Equivalency Portfolio MQs will first be assessed by at least two full-time faculty from the discipline (or related discipline when necessary), typically from the hiring committee, and then assessed by the Equivalency Committee. Application materials will be made available for the members of the Equivalency Committee to review individually, but deliberations and decisions about applications will be done synchronously to establish thorough consideration of each applicant's qualifications. In cases where the Equivalency Committee disagrees with the discipline faculty's decision, the two groups will discuss together with the intent of reaching consensus. In the end, the Equivalency Committee's decision is final.

Once a faculty member has been granted equivalency and employed in the District, that individual retains the equivalency should it be needed again (as in the example of an adjunct faculty member applying for a full-time position). However, the granting of equivalency is on a case-by-case basis and does not automatically set precedence for future applicants.

Equivalency Portfolio Criteria

In assessing Equivalency Portfolio MQs, the following criteria will be used. In all cases, the applicants bear the responsibility of ensuring that their applications are complete and thorough enough to demonstrate equivalency. The granting of equivalence to an educational degree for the sake of minimum qualifications should not in any way be construed to be the “conferring” of the degree, and the equivalency will not be taken into account for salary schedule placement, should the applicant be hired.

Note: As it is defined in Title 5 Section 53404, the phrase “professional experience” is used throughout this document to refer to any combination of faculty experience and/or occupational experience.

1. To establish equivalence to a Master’s degree in a specific discipline, the applicant must have earned a Bachelor’s degree with any major plus have any one of the following:
 - 30 semester units of course work relevant to the discipline
 - relevant licensure from an accredited institution
 - certification for instruction in the discipline
 - some combination of additional education/training and/or verifiable professional experience relevant to the discipline.

No matter the option chosen, the applicant must demonstrate the equivalent depth of discipline-specific knowledge and skills that would be obtained in the Master’s degree.

2. To establish equivalence to an Associate degree or a Bachelor’s degree (as just one component of the minimum qualifications for a discipline), the applicant must have some combination of education/training and/or verifiable professional experience that, in total, is equivalent to the depth and breadth of knowledge and skills that would be obtained in the corresponding degree. The “depth” is intended to mean “discipline-specific” and the “breadth” is intended to mean “general education.”

3. To establish equivalence to professional experience in a specific vocation (as required in disciplines where the Master’s degree is not generally expected), the applicant must provide evidence of having a mastery of the skills of the vocation, as well as extensive knowledge of the working environment of the vocation.

Guidelines for MQ Assessment within Faculty Hiring Processes

All applicants for a faculty position that have been determined to have Direct MQs, Indirect MQs, or Equivalency Portfolio MQs will be considered together to be the “qualified applicant pool” for the position and will be treated equally with regard to minimum qualifications. After the MQ assessments are completed for a position, the method by which an applicant achieved minimum qualifications will not be considered in ranking applicants or deliberating about whom to invite for an interview. All MQ assessments for an applicant pool will be completed prior to any deliberations about interview invitations, and the only applicants that will be considered for interviews are those from the “qualified applicant pool.”

For any faculty searches with a specific closing date for application submittal (typically for full-time faculty searches), time will be built into the search schedule specifically for MQ assessment. For disciplines where it has been determined that equivalency applications may be more likely, additional time should be scheduled. Throughout this process, the Equivalency Committee Chair will be kept informed of all search schedules and, as soon as possible, provided the estimated number of Equivalency Portfolio applications in each search.

For any faculty searches without a specific closing date (typically for adjunct faculty pools), MQ assessment will be done on a regular basis (at the minimum, annually), initiated by the division deans and/or the discipline full-time faculty. The VPAA will work with the deans to coordinate the timing of these MQ assessments, so as to spread out the work of the Equivalency Committee throughout the academic year, and not create an undue burden during the time when full-time faculty searches are occurring.

Given that class schedules are developed months in advance, the need for “emergency hires” should be very rare. Planning efforts must be made to maintain pools of applicants that have already been successfully assessed for MQs, so that there are qualified applicants to consider when an unexpected need arises.

For all faculty applicants that are subsequently hired, the “Approval of Personnel Actions” item on the Board of Trustees agenda will indicate the method by which the applicant satisfied minimum qualifications. For applicants with Equivalency Portfolio MQs, a brief indication of the criteria used will be included.

Foreign Transcript Evaluations

Although the word “equivalency” is often used in relation to the assessment of degrees and transcripts from outside of the United States, that process is not to be confused with “equivalency” as discussed above in this procedure. Regardless of minimum qualifications status described above, all applicants with transcripts issued from outside the United States are required to submit a course-by-course analysis with an equivalency statement from a certified transcript evaluation service, verifying the degree equivalency to that of an accredited institution within the U.S. As with other documents required in conjunction with applications, foreign transcript evaluations must be submitted with the rest of the application materials.

Faculty Senate Approved: April 21, 2021

Adopted: May 2021

Clovis Community College

Equivalency Committee Operating Agreement

Clovis Community College Mission Statement: Creating Opportunities – One Student at a Time

- We embrace diversity and serve all students of the community;
- We believe education is based on integrity, generosity, and accountability;
- We foster critical, creative, and engaged thinking;
- We support student success by preparing students for their futures and for the community's future through career/technical certificates, degrees, and transfer programs;
- We cultivate community partnerships to enhance student learning and success;
- We engage in reflective, data-driven cycle of research and innovation focused on learning and student outcomes.

Accreditation Standard

PURPOSE

The Equivalency Committee is charged by the Clovis Community College Academic Senate with the responsibility of ensuring that all potential faculty members meet or exceed the minimum qualifications as specified in the current *Minimum Qualifications for Faculty and Administrators in California Community Colleges* handbook. As specified in California Education Code (§ 87359) and Title 5 of the California Code of Regulations (§53430), equivalency committees at the various California Community Colleges shall have the **primary responsibility to approve or deny petitions for equivalency submitted by potential full-time or part-time faculty members**. As applied, this means that an applicant for a certificated position who *does not* hold the degrees specified in the current *Minimum Qualifications for Faculty and Administrators in California Community Colleges* handbook, must submit a petition for equivalency. By submitting this petition, the applicant is asserting that, through various means, he/she has gained sufficient knowledge to make him/her *equal to a person who meets the specified minimum qualifications*.

PRODUCT

1. Approval or denial of petitions for equivalency
2. Forms/ grids/ matrices that are needed for the process of petitioning for equivalency as approved by the Academic Senate shall be created and maintained by the committee.
3. Reports for the Academic Senate as needed or requested by the Academic Senate.
4. Outgoing report from committee chair to new chair of committee when necessary.
5. Interaction with state representative to academic senate regarding changes to minimum qualifications defined by the state chancellor's office.

JURISDICTION

Equivalency Committee coordinates, oversees, and reports on the petitions for equivalency that are specific to certificated positions at Clovis Community College, and falls under the governance of the Clovis Community College Academic Senate.

DUTIES AND FUNCTIONS

1. The Clovis Community College Academic Senate charges the Equivalency Committee with the responsibility of ensuring that all potential faculty members meet or exceed the minimum qualifications as specified in the current *Minimum Qualifications for Faculty and Administrators in California Community Colleges* (see supporting documents below).
2. As per the AR 7120 section 8 the departments (see supporting documents below) will determine if an applicant meets the equivalency standards as defined by the department. The Equivalency Committee will validate that determination. Equivalency may only be granted if both the department and Equivalency Committee agree.
3. The term “departments” as used should be interpreted as “disciplines” or “divisions”. Faculty (tenured when possible) in the appropriate discipline should complete the

determination for equivalency through the Equivalency Committee for recommendation of support or denial. Reporting of finding will be reported directly to the Academic Senate.

4. The Equivalency Committee shall have sole responsibility to recommend forms to the Academic Senate for petitioning for equivalency and forms for appealing a denied petition. These forms shall be published and made readily available. The Academic Senate shall modify these forms as deemed necessary, and may request suggestions or recommendations for such modification from the Equivalency Committee.

MEMBERSHIP

1. The Equivalency Committee shall have up to a total of seven (7) members or number established by the Academic Senate, including the Chair. The President of the Academic Senate, with the advice of the Academic Senate Executive Committee, shall appoint the Equivalency Committee membership. The Equivalency Committee membership should include certificated full-time faculty representatives of academic and vocational programs.
2. Equivalency Committee members shall serve a two academic year term and be available for committee work falling into the summer as needed. A member may serve multiple consecutive terms, although rotating membership is encouraged. No more than 4 new members should be added at the beginning of a new academic year.
3. In the event that a member can no longer serve on the Equivalency Committee, the Senate President, with the advice of the Academic Senate Executive Committee, shall appoint a replacement. In making appointments, the Senate President should attempt to maintain representation with respect to disciplines when appointing replacements.
4. Each member of the Equivalency Committee will be provided with the current copy of the current *Minimum Qualifications for Faculty and Administrators in California Community Colleges* (see supporting documents below), which outlines the basic standards for certificated employment at a California community college. If possible, a current electronic file of the *Minimum Qualifications for Faculty and Administrators in California Community Colleges* will be available on the human resource section of the SCCC district website. All committee members must have a copy (electronically or hard copy) of the *Minimum Qualifications for Faculty and Administrators in California Community Colleges*.
5. Any change in the membership structure of the committee must be made in advance of the academic year in which the change is to occur and be approved by the Academic Senate.

MANAGEMENT AND OPERATING PROCEDURES

Committee Formation

As per California Education Code §87359, California Code of Regulations §53430, SCCC Board Policy (current BP 4100; revised 7120), SCCC Administrative Regulations (current AR 4100, §6.9; revised TBD), and SCCC Procedures for Recruitment and Employment of First-Time Part-Time Faculty [Faculty-part-time hiring (10/26/01)], Clovis Community College will form a standing committee entitled "Equivalency Committee." The Clovis Community College Academic Senate shall approve and amend as necessary the Clovis Community College Senate Equivalency Committee

Operating Procedure. The Clovis Community College Academic Senate Equivalency Committee shall be known as the “Equivalency Committee” and the Clovis Community College Academic Senate shall be known as the “Senate.” The Equivalency Committee shall implement the Senate approved Equivalency Committee Operating Procedure and approved amendments as they arise.

Quorum

A simple majority vote by a quorum of the Academic Senate approving this Operating Procedure will be required for adoption. If membership is ever at an even number of members and there is a tie the chair of the Equivalency Committee will break the tie.

Meeting Schedule

The Equivalency Committee shall meet as deemed necessary by receipt of petitions for equivalency. The committee shall meet when called upon by the Academic Senate or needed for the development of procedures or forms necessary for the equivalency process.

Amending the Equivalency Committee Operating Procedure

Any person represented by the Academic Senate (hereafter referred to as “faculty member” or “faculty”) may propose amendments to the Equivalency Committee Operating Procedure. The Equivalency Committee and the Senate shall review the proposed amendments. Upon the approval of a simple majority of the Senate, amendments will be immediately implemented by the Equivalency Committee unless otherwise specified in the approved amendment.

Process for Petitioning for and Reviewing of Equivalencies

- A. A majority of the members of the Equivalency Committee shall constitute a quorum, allowing this committee to consider petitions.
- B. The degree for which the petitioner is requesting an equivalency, must be from institutions accredited by recognized U.S. accrediting agencies. Petitioners who possess degree(s) earned from an institution outside of the U.S. are required to include an evaluation service assessment (foreign transcript evaluation) as part of their petition. If the evaluation service assessment is not provided, the petition will be considered incomplete and will not be processed.
- C. The petitioner is responsible to ensure that the petition is complete. It is probable that petitioners will not be cognizant of equivalency or the equivalency procedure. Therefore it is imperative that screening committee members, discipline experts/representatives, Department Chairs, or Deans of Instruction who interview or screen potential full-time or part-time candidates ensure that the candidates are aware of equivalency requirements and procedures and assist the petitioner as necessary to ensure complete equivalency petitions are prepared for submission. In the case of applicants for full-time positions who are in the candidacy stage and require an equivalency, it is recommended that the equivalency petition be prepared by the chair of the hiring committee or his/her designee based on the information provided by the candidate in the application. Unofficial transcripts may be submitted for initial consideration of the petition; however, the committee will not render a final determination until official transcripts are received. It is therefore recommended that official transcripts be provided to the committee with the original submission of the equivalency petition. If an applicant has official transcripts on file with the Human Resources Department (HR) at the District Office, the committee may request verification from HR; however, this may delay final approval of an equivalency petition.

- C. To expedite the consideration of the petition, it is recommended that all forms and documents be submitted in hard copy. Once the Equivalency Committee chair receives the petition and reviews it for completeness, the chair will make it available to all members of the Equivalency Committee through a secure process. Once the Equivalency Committee has made a determination regarding the petition, the hard copy will be included in the personnel file of the petitioner until the time the personnel file has been appropriately destroyed.
- D. Complete petitions will include a full and detailed description articulating those exact courses/experiences that the petitioner is asserting make him/her equal to a candidate who meets the currently established minimum qualifications. If the petitioner has qualifications that fall under the discipline approved equivalency policy, the matrix of comparable coursework does not need to be completed.
1. If the petitioner is lacking the appropriate degree(s) in ***“disciplines where a master’s degree is required,”*** at a minimum, he/she must include:
 - a. A list of the requirements for earning the degree in question from an accredited institution in the United States (appropriate pages from the institution’s catalog will suffice) This is not necessary if the discipline equivalency policy has been met.
 - b. A letter with grid/matrix illustrating how his/her various academic and professional experiences satisfy the requirements of the degree that he/she lacks This is not necessary if the discipline equivalency policy has been met.
 - c. Alternately a letter illustrating how his/her academic and/or professional experiences satisfy the Programs Learning Outcomes
 2. If the petitioner is lacking the requirements to teach in “disciplines in which a master’s degree is not generally expected or available,”
 - a. and the petitioner is lacking the specified bachelor’s or associate’s degree, at a minimum, he/she must include:
 - i. A list of the requirements for earning the degree in question from an accredited institution in the United States (appropriate pages from the institution’s catalog will suffice) This is not necessary if the discipline equivalency policy has been met
 - ii. A letter with a grid/matrix illustrating how his/her various academic and professional experiences satisfy the requirements of the degree that he/she lacks. This is not necessary if the discipline equivalency policy has been met.
 - iii. Alternately a letter illustrating how his/her academic and/or professional experiences satisfy the Programs Learning Outcomes,
 - b. and if the petitioner is ***lacking the specified years of experience***, at a minimum, he/she must include:

- i. A letter with a grid/matrix illustrating how his/her various academic and professional experiences satisfy the years of experience that he/she lacks. This is not necessary if the discipline equivalency policy has been met.
 - ii. Alternately a letter illustrating how his/her academic and/or professional experiences satisfy the Programs Learning Outcomes
- E. Petitioners should pay special attention to detail in establishing his/her comparative academic and professional experiences and submitting supporting materials to avoid unnecessary delays caused by the need to request additional information or support. When a petitioner uses work or some other type of professional activity to help establish equivalency, documentation such as letters on letterhead stationery or certificates should be included as supporting documentation.
- F. Upon submission, all petitions must be signed by at least one tenured faculty member from the discipline recommending the petitioner for equivalency. Signature by several of the tenured or non-tenured faculty within the discipline is recommended. Approval by the discipline specific faculty member(s) will be deemed as the determination that the qualifications of the petition satisfy the equivalency requirements of the discipline.
- G. If there are no tenured faculty members within the discipline, a faculty member from a related discipline (as defined in the current Minimum Qualifications for Faculty and Administrators in California Community Colleges handbook) may sign the petition. For disciplines with only non-tenured faculty members, the signing tenured faculty member must consult with the non-tenured faculty prior to signing. In such an event, it is encouraged that tenured discipline experts from another SCCC College be consulted.
- H. It is imperative that the signing tenured faculty member consult with other faculty members within the discipline prior to signing the petition. The signature of this tenured faculty member is the determination that the petitioner satisfies the equivalency requirements for the petition. Other faculty members may sign the petition in support of or in opposition to the petition.
- I. The Department Chair must sign petitions. The signature of the Department Chair constitutes acknowledgement of the petition being submitted by the discipline experts and that the discipline experts deem the petitioner to meet the equivalency requirements. The Department Chair may not deny a petition or prevent a petition from being forwarded to the Equivalency Committee once the discipline experts have deemed the petitioner to be equivalent. The Department Chair is encouraged to include a statement of support or opposition.
- J. After the petition has received all appropriate signatures it is submitted to the Dean of Instruction who oversees the discipline from Clovis Community College. The Dean of Instruction may, and is encouraged to include, a statement of support or opposition. The completed petition is then submitted directly to the Chair of the Equivalency Committee.
- K. At the discretion of the Equivalency Committee, additional information, supporting materials, or additional justification or support from faculty within the discipline may be requested during the review period.
- L. The Equivalency Committee will review and make a decision on the petition within a maximum of 15 working days, assuming the petition is submitted during the certificated contract year.

For petitions submitted during the summer months, consideration may take a maximum of 25 working days.

- M. If a petition has been denied, the Equivalency Committee has 3 working days from the day the decision was made to provide the Dean of Instruction with formal notification (suitable for inclusion in the personnel file). The Chair of the Equivalency Committee will either prepare the formal notification or delegate the responsibility to a committee member. The formal notification should include the reasons why the petition was denied. Petitioners who have been denied equivalency may appeal the decision by submitting the completed appeal form and supporting materials to the Academic Senate Executive Committee within 5 working days of being informed of the decision by the Dean of Instruction. If the petitioner is unable to adequately respond within this period, he/she may request additional time from the Chair of the Equivalency Committee. The duration of the negotiated extension will be included in the petition documentation.
- N. To expedite the process, the appeal should contain substantially more information or support than was provided to the Equivalency Committee. The Academic Senate Executive Committee at their next scheduled meeting will consider the appeal. At the discretion of the Senate President, the Executive Committee prior to their next scheduled meeting may consider the appeal by other means (for example, electronic vote). The decision of the Academic Senate Executive Committee will be final.
- O. Hard copies of all forms and documents for equivalency must be maintained in the appropriate personnel file for future reference as needed. The equivalency will be in force so long as the minimum qualifications remain unchanged, or if grandfather clauses are included in the new regulations.

The Process for Establishing Discipline Policies

- 1. The Equivalency Committee governed by this agreement shall be responsible for overseeing the equivalency actions taken by the various Disciplines.
- 2. The Committee shall establish appropriate forms for the above purpose.
- 3. When a Department proposes a Discipline Equivalency Policy, an application of acceptance shall be forwarded to the Committee for review. If the Committee accepts the policy, then it shall go into effect at the beginning of the next semester. If the Committee does not accept any policy, then the application shall be returned to the Discipline with the reason(s) for non-acceptance. The Discipline may attempt to make changes and will then forward the application to the Committee for further review. The Committee may accept it or return it again for further changes.
- 4. A Discipline may propose changes to its Discipline Equivalency Policy at any time. To do so the revised application of acceptance shall be forwarded to the Committee for review. If the Committee accepts the changes to the policy, then it shall go into effect at the beginning of the next semester. If the Committee does not accept the changes to the policy, then the application shall be returned to the Discipline with the reason(s) for non-acceptance. The Discipline may

attempt to make changes and will then forward the application to the Committee for further review. The Committee may accept it or return it again for further changes. The most recent policy will remain in effect whenever new changes have not been accepted.

5. Should a Discipline not wish to establish a policy, or should the Discipline want to forward a candidate who does not fit under their current approved policy, then the Discipline may forward a petition following the guidelines in section G of the process outlined in the above section.

APPENDIX

Supporting policies, codes, regulations, and resolutions:

CALIFORNIA EDUCATION CODE SECTION 87355-87359.5

87355. Notwithstanding Section 87356, every person authorized to serve as a community college instructor, librarian, counselor, student personnel worker, supervisor, administrator, or chief administrative officer under a credential shall retain the right to serve under the terms of that credential, and, for that purpose, shall be deemed to possess the minimum qualifications specified for every discipline or service covered by the credential until the expiration of that credential. The board of governors shall adopt regulations as necessary to implement this requirement.
87356. (a) The board of governors shall adopt regulations to establish and maintain the minimum qualifications for service as a faculty member teaching credit instruction, a faculty member teaching noncredit instruction, a librarian, a counselor, an educational administrator, an extended opportunity programs and services worker, a disabled students programs and services worker, an apprenticeship instructor, and a supervisor of health.
- (b) The Legislature finds and declares that this section does not create a state-mandated local program because compensation of faculty will continue to be determined through the collective bargaining process or meet and confer sessions.
87357. **(a)** In establishing and maintaining minimum qualifications pursuant to Section 87356, the board of governors shall do all of the following:
- (1) With regard to minimum qualifications for faculty, the board of governors shall consult with, and rely primarily on the advice and judgment of, the statewide Academic Senate. With regard to minimum qualifications for educational administrators, the board of governors shall consult with, and rely primarily on the advice and judgment of, an appropriate statewide organization of administrators. With regard to minimum qualifications for apprenticeship instructors, the board of governors shall consult with, and rely primarily on the advice and judgment of, appropriate apprenticeship teaching faculty and labor organization representatives. In each case, the board of governors shall provide a reasonable opportunity for comment by other statewide representative groups.
- (2) The board of governors shall establish a process to review at least every three years the continued appropriateness of the minimum qualifications, and the adequacy of the means by which they are administered. The process shall provide for the appointment of a representative group of community college

faculty, administrators, students, and trustees to conduct or otherwise assist in the review, including particularly, representatives of academic senates, collective bargaining organizations, and statewide faculty associations. In addition, the group shall be broadly representative of academic and vocational programs in the curriculum from both urban and rural districts, and representative of ethnic minority communities.

(b) The board of governors, relying primarily upon the advice and judgment of the statewide Academic Senate, shall prescribe by regulation a working definition of the term "discipline" and shall prepare and maintain a list of disciplines that are "reasonably related" to one another, as that phrase is used in the minimum qualifications. The initial list shall be distributed to the community college districts by July 1, 1989, for their use in applying the minimum qualifications for hire.

In formulating advice and recommendations to the board of governors regarding the definition of the term "discipline," the statewide Academic Senate shall consult with appropriate statewide organizations representing administrators and faculty collective bargaining agents. The statewide Academic Senate shall incorporate the advice of those groups into its recommendations to the board of governors, particularly as it relates to the practical ramifications of any proposed definition of the term "discipline" on issues of reassignment, transfer, and reduction in force.

The board of governors, relying primarily upon the advice and judgment of the statewide Academic Senate, shall prepare and maintain a list of disciplines in which the master's degree is not generally expected or available. The initial list shall be distributed to the community college districts by July 1, 1989, for their use in applying the minimum qualifications for service.

87358. The board of governors shall periodically designate a team of community college faculty, administrators, and trustees to review each community college district's application of minimum qualifications to faculty and administrators.

87359. The board of governors shall adopt regulations setting forth a process authorizing local governing boards to employ faculty members and educational administrators who do not meet the applicable minimum qualifications specified in the regulations adopted by the board of governors pursuant to Section 87356. Unless and until amended pursuant to the process described in Section 87357, the regulations shall require all of the following:

- a. No one may be hired to serve as a community college faculty member or educational administrator under the authority granted by the regulations unless the governing board determines that he or she possesses qualifications that are at least equivalent to the minimum qualifications specified in regulations of the board of governors adopted pursuant to Section 87356. The criteria used by the

governing board in making the determination shall be reflected in the governing board's action employing the individual.

- b. The process, as well as criteria and standards by which the governing board reaches its determinations regarding faculty members, shall be developed and agreed upon jointly by representatives of the governing board and the academic senate, and approved by the governing board. The agreed upon 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 faculty member employed under the authority granted by the regulations possesses qualifications that are at least equivalent to the applicable minimum qualifications specified in regulations adopted by the board of governors. The process shall further require that the governing board provide the academic senate with an opportunity to present its views to the governing board before the board makes a determination, and that the written record of the decision, including the views of the academic senate, shall be available for review pursuant to Section 87358.
- c. Until a joint agreement is reached and approved pursuant to subdivision (b), the district process in existence on January 1, 1989, shall remain in effect.

87359.5. By May 1, 1989, the board of governors shall have reviewed or contracted for review of, the job relevance of the requirements of Sections 87408, 87408.5, 87408.6, and any other physical fitness tests or examinations, and other conditions of employment, applicable to community college personnel.

CALIFORNIA CODE OF REGULATIONS

TITLE 5. EDUCATION

DIVISION 6. CALIFORNIA COMMUNITY COLLEGES

CHAPTER 4. EMPLOYEES

SUBCHAPTER 4. MINIMUM QUALIFICATIONS

ARTICLE 2. QUALIFICATIONS AND EQUIVALENCIES

§ 53430. Equivalencies.

- a. No one may be hired to serve as a community college faculty or educational administrator unless the governing board determines that he or she possesses qualifications that are at least equivalent to the minimum qualifications specified in this Article or elsewhere in this Division. The criteria used by the governing board in making the determination shall be reflected in the governing board's action employing the individual.
- b. The process, as well as criteria and standards by which the governing board reaches its determinations regarding faculty, shall be developed and agreed upon jointly by representatives of the governing board and the academic senate,

and approved by the governing board. The agreed upon 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 faculty employed under the authority granted by this Section possesses qualifications that are at least equivalent to the applicable minimum qualifications specified in this Division.

- c. The process shall further require that the academic senate be provided with an opportunity to present its views to the governing board before the governing board makes a determination; and that the written record of the decision, including the views of the academic senate, shall be available for review pursuant to Education Code Section 87358.
- d. Until a joint agreement is reached and approved pursuant to Subdivision (b), the district shall be bound by the minimum qualifications set forth in this Subchapter.

STATE CENTER COMMUNITY COLLEGE DISTRICT, BOARD POLICY 2510

Participation in Local Decision-making

The Board is the ultimate decision-maker in those areas assigned to it by state and federal laws and regulations. In executing that responsibility, the Board is committed to its obligation to ensure that appropriate members of the District participate in developing recommended policies for board action and administrative regulations for Chancellor action under which the District is governed and administered.

Each of the following shall participate as required by law in the decision-making processes of the district:

- **Academic Senate(s)** (Title 5, sections 53200-53206)

The Board or its designees will consult collegially with the Academic Senate, as duly constituted with respect to academic and professional matters, as defined by law. Procedures to implement this section are developed collegially with the Academic Senate.

- **Staff** (Title 5, section 51023.5)

Staff shall be provided with opportunities to participate in the formulation and development of district policies and procedures that have a significant effect on staff. The opinions and recommendations of the Classified Senate will be given every reasonable consideration.

Except for unforeseeable emergency situations, the Board shall not take any action on matters subject to this policy until the appropriate constituent group or groups have been provided the opportunity to participate.

Nothing in this policy will be construed to interfere with the formation or administration of employee organizations or with the exercise of rights guaranteed under the Educational Employment Relations Act, Government Code section 3540, et seq. See Administrative Regulation 2510 Reference: Education Code Section 70902(b) (7); Title 5 Sections 53200, et seq., (Academic Senate), 51023.5 (staff), 51023.7 (students); Adopted by the Governing Board: June 2, 1992; November 4, 2003

STATE CENTER COMMUNITY COLLEGE DISTRICT, BOARD POLICY 7120

Recruitment and Hiring

Administrative regulations shall be established for the recruitment and selection of employees including, but not limited to, the following criteria:

- An Equal Employment Opportunity plan shall be implemented according to Title 5 and Board Policy 3420.
- Academic employees shall possess the minimum qualifications prescribed for their positions by the Board of Governors.

The criteria and regulations for hiring academic employees shall be established and implemented in accordance with board policies and regulations regarding the Academic Senate's role in local decision-making.

The criteria and regulations for hiring classified employees are governed by Education Code and Personnel Commission rules. See Administrative Regulation 7120 References: Education Code Sections 70901.2, 70902 (b) (7) & (d), 87100, et seq.; Title 5 Sections 53000, et seq., 51023.5; Accreditation Standard III.1.A. Adopted by the Governing Board: June 8, 1978; June 28, 1978; September 3, 1985; June 4, 1996; April 4, 2006 Revised: July 1, 2008

Academic Employees

Academic employees are all persons employed by the District in academic positions. Academic positions include every type of service, other than paraprofessional service, for which the Board of Governors has established minimum qualifications for the California Community Colleges. Faculty members are those employees who are employed by the District in academic positions that are not designated as supervisory or management. Faculty employees include, but are not limited to, instructors, librarians, counselors, and professionals in health services, DSPS, and EOPS.

Decisions regarding tenure of faculty shall be made in accordance with the evaluation procedures established for the evaluation of probationary faculty and in accordance with the requirements of the Education Code. The Board reserves the right to determine whether a faculty member shall be granted tenure.

The District may employ temporary faculty from time to time as required by the interests of the District. Temporary faculty may be employed full time or part time. The Board delegates authority to the Chancellor to determine the extent of the District's needs for temporary faculty. Notwithstanding this policy, the District shall comply with its goals under the Education Code regarding the ratio of full-time to part-time faculty to be employed by it and for making progress toward the standard of 75% of total faculty work load hours taught by full-time faculty.

Reference: Education Code Sections 87400, et seq; 87419.1; 87482.8; 87600, et seq.; Title 5, Section 51025. Adopted by the Governing Board: October 3, 2006

STATE CENTER COMMUNITY COLLEGE DISTRICT, ADMINISTRATIVE REGULATION 2510

Participation in Local Decision-making

The Communications Council was formed to provide a venue for college/district constituency groups to participate in local decision-making.

The Communications Council meets one week prior to each regular governing board meeting. The Council reviews the Board agenda and discusses items on the agenda as well as other topics regarding shared governance (see Administrative Regulation 2410).

The Communications Council consists of:

- The president of each college's Academic Senate or his/her designee;
- The president of each college's Classified Senate or his/her designee;
- The president of the faculty exclusive representative or his/her designee;
- The president of the classified employee's exclusive representative or his/her designee;
- One additional representative from the exclusive representative of the classified employees;
- A student representative from each college;
- The College Presidents;
- The Vice Chancellor, North Centers; and
- The Chancellor.

Shared Governance

In order that the faculty may have a formal and effective procedure for participating in the

Participation in Local Decision-making

Formation and implementation of District regulations on academic and professional matters, the following process shall apply: "Consult collegially," wherein the governing board will develop regulations relying primarily on the advice and judgment of the Academic Senates shall pertain to: Curriculum matters consisting of the following:

- Curriculum development;
- Establishing prerequisites and placement of courses within disciplines;
- Grading policies;
- Standards or policies regarding student preparation and success; and
- Degree and certificate requirements

And shall mean:

- Such processes are subject to 53203(d)(1) of the Board of Governors' regulations;
- The Senate, upon consideration of the regulation, may ask for, and receive comment from, the Chancellor/designee, which shall be considered by the Senate prior to final approval.
- Once approved by the Academic Senates, the regulation shall be placed on the next meeting agenda of the Chancellor's Cabinet.
- In those instances where the administration plans to propose recommendations to the Board different from those proposed by the Academic Senates, the administration shall communicate, in writing, to the Senate the reason for such different recommendations and shall provide the Senates the opportunity to respond in writing prior to taking the recommendation to the Board for final action.

"Consult collegially" for all other "academic and professional matters" wherein the governing board will develop regulations after the Chancellor/designee and the Academic Senates/designees have reached mutual written agreement regarding the regulations shall pertain to:

All other academic and professional matters consisting of the following:

- Educational program development;

Participation in Local Decision-making

- Faculty roles and involvement in accreditation processes including self-study and annual reports;
- Establishing a process for faculty professional development activities;
- Process for program review;
- Processes for institutional planning and budget development;
- District and college governance structures as related to faculty roles; and
- Other academic and professional matters as mutually agreed upon between the governing board and the Academic Senates.

And shall mean:

- Such processes are subject to 53203(d)(2) of title 5 regulations;
- When either the governing board (or designee), or the Academic Senates (designees) seek to consult collegially regarding "other academic and professional matters" (other than curriculum), the party seeking consultation shall request the consultation in writing. The parties shall then collegially consult and strive to develop mutually agreed upon written recommendations to the governing board. After reasonable collegial consultation, in the event the parties cannot reach mutual agreement on an academic and professional matter (other than curriculum), the parties shall submit separate written recommendations to the governing board.
- In cases where there is no existing policy, or in cases where exposure to legal liability or substantial fiscal hardship requires existing policy to be changed the governing board may act, after a good faith effort to reach agreement, only for compelling legal, fiscal, or organizational reasons.

References: Education Code Section 70902(b) (7); Title 5 Sections 53200 et seq.; 51023.5; 51023.7; Accreditation Standard - IV.A.2, IV.A.5. Adopted by Chancellor's Cabinet: August 18, 2008

STATE CENTER COMMUNITY COLLEGE DISTRICT, ADMINISTRATIVE REGULATION 7120

Procedures for Recruitment and Employment of College Faculty

SECTION I – PHILOSOPHY

- 1.1 It shall be the policy of the State Center Community College District to recruit and hire highly qualified college faculty who are expert in their subject areas, who are skilled in serving the needs of a culturally and ethnically diverse student population served by the district, and who can enhance overall college effectiveness. Indispensable characteristics include excellence in teaching, expertise in subject matter, positive personality traits, leadership ability, sensitivity to and an understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students, and a commitment to both students and the community college philosophy.
- 1.2 The governing board of a community college district derives its authority from statute and from its status as the entity holding the institution in trust for the benefit of the public. The governing board and the administrators it appoints have the principal legal and public responsibility for ensuring an effective hiring process.
- 1.3 Faculty members derive their authority from their expertise as teachers and subject matter specialists and from their status as professionals. The faculty has an inherent professional responsibility and right to participate in the development and implementation of policies and procedures governing the hiring process.

- 1.4 Hiring procedures are based on recognition that responsibility for selecting faculty is shared cooperatively by faculty and Administration participating effectively in all phases of the hiring process.
- 1.5 Strict confidentiality shall govern all applicant files, reference checks and Interview Selection Committee discussions relative to faculty hiring.
- 1.6 A joint committee of Administration and Academic Senates shall review these procedures every five years or at the request of either of the Academic Senates or Administration.

SECTION 2 – EQUAL EMPLOYMENT OPPORTUNITY

- 2.1 The Board of Trustees, Administration, and Academic Senates have the shared responsibility to ensure that Equal Employment Opportunity Commission guidelines are a part of the overall process of hiring faculty.
- 2.2 All participants in the hiring process shall receive training in Equal Employment Opportunity Commission guidelines and procedures.
- 2.3 In complying with board policy and Equal Employment Opportunity Commission guidelines, the district is committed to an effective hiring process that does not discriminate against any individual.

SECTION 3 – POSITION IDENTIFICATION/APPROVAL

- 3.1 The campus will determine the number of new contract faculty positions to be recommended to Chancellor's cabinet, through a well-defined, cooperative and thoughtful planning process involving at a minimum, the college Academic Senate, faculty in the discipline, and college administrators.
- 3.2 The Chancellor, with due consideration for the District's full time faculty obligation, the District budget and campus needs, will determine the number of additional contract faculty positions to be recommended to the Board of Trustees, through a well-defined, cooperative and thoughtful planning process involving the Chancellor's cabinet.
- 3.3 The campus will allocate new and vacant contract faculty positions to departments and/or disciplines through a well-defined, cooperative and thoughtful planning process involving at a minimum, the college Academic Senate and Department Chairs.

SECTION 4 – JOB DESCRIPTION

- 4.1 Clear and complete job descriptions with the essential functions of the position and desirable qualifications shall be developed by the appropriate Administrator, and discipline specific faculty. In all cases, job descriptions shall include the minimum qualifications for teaching at the community college level as established by the statewide Academic Senate and adopted by the Board of Governors of the California Community Colleges.

- 4.2 Hiring criteria that are set by regulation and that are beyond the minimum qualifications will be established when appropriate.
- 4.3 The Equal Employment Opportunity Officer will review each position announcement/job description to ensure conformity with the District's Equal Employment Opportunity and non-discrimination guidelines.

SECTION 5 – SEARCH PROCEDURES

- 5.1 Public announcements of the vacancy shall normally be for a forty-five (45) day period and shall consist of a notice of vacancy containing at least the following: title of the position, date the position is to be filled, filing deadline, location of assignment, job description and hiring criteria as developed pursuant to section 4 and application procedures. Timely review of the public announcement by discipline specific faculty, appropriate Administrator shall occur prior to distribution. Distribution of the notice of vacancy shall be a District Office responsibility.
- 5.2 If a vacancy occurs unexpectedly and the normal recruitment time lines will cause a hardship or delay in the start of classes, the College President may request a 30 day emergency recruitment.
- 5.3 All vacancy notices must also clearly state that interested persons are to submit their applications to the District Human Resources Office. After the filing deadline, all applicants for the position will be notified in a timely manner of the status of their applications. All correspondence to applicants will come from the District Human Resources Office.
- 5.4 If at the end of the recruitment period, the Associate Vice Chancellor for Human Resources believes that the applicant pool lacks sufficient applications he/she will immediately notify the College President. He/she or his/her designee will consult with the department chair/divisional representatives and subject area faculty. After such consultation, the College President will make a decision to extend the filing deadline, re-advertise the position, re-designate the position as full time temporary, cancel the recruitment for the position, or take any other action arrived at through consultation.

SECTION 6 - APPLICANT SCREENING, SELECTION AND INTERVIEW PROCESS

- 6.1 The appointment of faculty members to serve on faculty Interview Selection Committees shall be made by mutual agreement between the College President or his/her designee, and the Academic Senate President. Should the composition of the original committee, need to change, this process shall still apply.
- 6.2 The Interview Selection Committee shall consist of not less than five (5) individuals, nor more than ten (10). Wherever possible, the majority of the committee shall be members of the faculty from the discipline in which the vacancy exists. In addition to the area administrator, the remainder of the committee shall be members of the faculty or members of the community having special expertise.

- 6.3 Should enough faculty from the discipline NOT be available at the college/campus where the vacancy exists, an effort shall be made to obtain faculty from the discipline from other colleges/campuses; however, this should not be done to the extent that such augmentation would result in a majority of the Interview Selection Committee coming from those other colleges/campuses. An effort shall be made to insure that a majority of the committee members come from the college/campus where the vacancy exists, and that there is also a majority of the committee from within the discipline. In cases where it is not possible to have majorities in both of the categories mentioned above, maintaining the majority from the college/campus where the vacancy exists shall take precedence.
- 6.4 Each member of the Interview Selection Committee, including any community member having special expertise, must be certified by the District Equal Employment Opportunity Officer as having been instructed in Equal Employment Opportunity procedures within the past academic year.
- 6.5 All members of the Interview Selection Committee shall be voting members.
- 6.6 The area administrator will convene the initial meeting of the Interview Selection Committee, at which time the Interview Selection Committee shall elect its ongoing chairperson from among any of its members and establish a time line for carrying out the functions of the committee.
- 6.7 The chairperson shall provide written instructions to the Interview Selection Committee, which shall include this Administrative Regulation (Administrative Regulation 7120) and the time line. The committee shall review these instructions at this time.
- 6.8 The committee has the professional responsibility to maintain strict confidentiality in matters pertaining to information about the candidates, such as applicant names, contents of applicant files, interviewee's responses, committee deliberations, reference checks or other information that might compromise the integrity of the process. Committee members will be required to sign a confidentiality statement. Failure to adhere to section 6.8 may result in disciplinary action.
- 6.9 The committee shall be entrusted with the responsibility of selecting the most qualified candidates for the position. Fulfillment of this responsibility shall include a review of the job announcement; establishing paper screening criteria for desirable candidates; reviewing applicants' files; establishing interview questions; establishing the criteria for any teaching demonstrations and/or demonstrations of competence in writing or other performance indicators related to the subject deemed necessary of each applicant; selecting a minimum and maximum number of candidates to interview as determined by the Interview Selection Committee; conducting the interview with the selected candidates in a professional manner; selecting the candidates to be recommended for the position; and providing a written rationale for the candidates being recommended for the position.

- 6.10 Before applicant files are released to the Selection Committee, the following information must be submitted to the District Human Resources Office: names of committee members and committee chair; selection criteria for paper screening; interview questions including at least one question to elicit a candidate's sensitivity to and understanding of the diverse academic, social, economic, cultural, disability, or ethnic backgrounds of community college students; a tentative timeline; teaching and/or demonstration topics (if applicable), and written question(s) (if applicable).
- 6.11 The initial screening of applications will normally provide no more than twenty (20) applicant files for screening by the whole Interview Selection Committee. An Applicant Screening Subcommittee composed of at least the area administrator, the Interview Selection Committee Chair or his/her designee, and an additional faculty member from the Interview Selection Committee will conduct the initial screening of the applications. The Interview Selection Committee Chair will ensure that the discipline is represented on the Applicant Screening Subcommittee. Any other member of the Interview Selection Committee may also participate in the initial screening.
- 6.12 The Associate Vice Chancellor of Human Resources (after consultation with the department and/or discipline and District Equal Employment Opportunity Officer), will determine whether the applicants selected by the Applicant Screening Subcommittee meet the Equal Employment Guidelines and shall so certify.
- 6.13 Once the applicants are certified, individual committee members must participate in all remaining components of the screening and interview process in order to evaluate and vote on the recommendation of candidates.
- 6.14 The Interview Selection Committee will verify that all applicants meet the minimum educational and/or vocational qualifications as set by regulation, or have met equivalency as determined by the department and approved by the Academic Senate Equivalency Committee. The Interview Selection Committee shall also select those applicants for an interview who best meet the desired qualifications listed on the job description.
- 6.15 The Interview Selection Committee shall conduct interviews and candidates will be evaluated with respect to, but not limited to, the following criteria:
- Subject area knowledge and competency;
 - Teaching/service and communications skills;
 - Commitment to professional growth and service;
 - Potential for overall professional effectiveness;
 - Sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability and ethnic backgrounds of the students;
 - Teaching or skill demonstrations and/or writing samples.

- 6.16 Upon completion of all of the interviews the Interview Selection Committee Chairperson shall lead a discussion of the strengths of the candidates.
- 6.17 The committee shall designate from its members a faculty member and the area administrator one of whom will be the Interview Selection Committee Chair to conduct the reference checks on those candidates to be recommended to the College President or Vice Chancellor-North Centers for final selection. If either committee member conducting reference checks finds the results could change the Interview Selection Committee recommendations, the committee shall be reconvened for further deliberations.
- 6.18 The Interview Selection Committee shall normally recommend to the College President or Vice Chancellor-North Centers three (3) highly qualified candidates for final consideration. The Committee shall provide the candidates' files and written comments for each candidate, in alphabetical order, as a further means of communicating its recommendations. If the Committee cannot recommend three candidates, the Committee shall indicate to the President or Vice Chancellor-North Centers why fewer than three are being recommended. Any candidate whose name is sent forward to the President or Vice Chancellor-North Centers shall be considered among the most highly qualified to fulfill the requirements of the position. If the Interview Selection Committee cannot recommend any of the candidates, the hiring process shall reopen or the position shall be redesignated as a full time temporary position. If, after consultation between the Interview Selection Committee and the President or Vice Chancellor-North Centers, neither of these two options is deemed viable then further action will be arrived at by broader consultation of the constituencies mentioned in section 3.3
- 6.19 The President or Vice Chancellor-North Centers shall interview those candidates sent forward by the Interview Selection Committee. The President or Vice Chancellor-North Centers may involve other senior administrators in this interview. Prior to interviewing the candidates, the interview questions must be submitted to the District Human Resources Office. After all interviews are complete faculty member from the Interview Selection Committee and the area administrator, one of whom is the Interview Selection Committee chair, shall meet together to discuss with the President the Committee's recommendations. The President.
- 6.20 If the College President cannot recommend one of the candidates whose names were sent forward, she/he shall reconvene the Interview Selection Committee to discuss why the committee's recommendations cannot be supported. If following such discussions, the President still cannot recommend one of those sent forward, additional recommendations may be sent forward by the Interview Selection Committee; or the President may reopen the search.
- 6.21 At the end of each semester, each college's Academic Senate will compile a list of full time faculty available to serve on emergency Interview Selection Committees during either the winter break or summer. This list shall be provided to each College President and the. The senates will also provide a schedule of Academic Senate Executive Board

member(s) who will be available for consultation during those times. This process will help to ensure that sufficient numbers of faculty are always available to serve on Interview Selection Committees.

SECTION 7 – NOTIFICATION OF APPLICANTS AND CANDIDATES

- 7.1 All applicants and candidates for positions in the State Center Community College District shall be notified in a timely manner regarding disposition of their applications by the District Human Resources Office.
- 7.2 After approval by the Board of Trustees, the formal offer of employment shall be prepared and issued from the District Human Resources Office.

SECTION 8 – EQUIVALENCIES

- 8.1 Every faculty employment application shall include a form which applicants can utilize to describe the exceptional experiences, backgrounds or degrees which would be equivalent to the stated degree requirements. On the form, the applicant must indicate why she/he thinks she/he has the equivalent to the exact degree(s) or experience that is stated in the minimum qualifications. It is the applicant's responsibility to provide the completed employment application form and the necessary documentation.
- 8.2 The Academic Senate at each campus shall maintain within its structure a standing committee for the purpose of determining the validity of equivalency petitions.
- 8.3 In assessing the appropriateness of an equivalency petition, the college's Academic Senate equivalency process should determine if the applicant possesses qualifications that are at least equivalent to the minimum qualifications specified by the State Chancellor's Office. (California Code Regulations, Title 5 Section 53430.) The determination of equivalencies that meet the minimum standard will occur through a detailed review of the equivalency petition as outlined by that college's Academic Senate equivalency process.
- 8.4 Upon this review, a written statement of approval or denial of the equivalency petition shall be included with the employment application. If an equivalency petition is formally approved, the candidate shall remain in the select pool. If an equivalency petition is formally denied, the applicant's file will cease to be part of the select pool, and will be forwarded by the Interview Selection Committee to the District Human Resources Office. The Interview Selection Committee chair will monitor the progress of the Academic Senate equivalency review process to ensure that the process is completed in a timely manner.

DEFINITIONS

Applicant: An individual having submitted a complete applicant file for the position by the filing deadline.

Area Administrator: A dean or other appropriate administrator as designated by the college president.

Candidate: An applicant who has been selected for an interview.

Complete Faculty Applicant File: District Academic Employment Application, supplemental application form (if required for the position), a Letter of Application explaining applicants experience as it relates to each item listed under the desirable qualifications on the job announcement, a resume and/or placement file, copies of all graduate and undergraduate transcripts, completed Petition for Equivalency Form if needed, three written statements of recommendation to be received prior to the filing deadline.

Emergency Recruitment: The recruitment for a vacancy which, in the opinion of the college president, occurred unexpectedly and one for which the normal recruitment time line would cause a hardship or delay in the start of classes.

Equal Opportunity Employment: State Center Community College District is committed to Equal Employment Opportunity. It is the policy of the State Center Community College District to provide all persons with equal employment and educational opportunities without regard to race, ethnicity, national origin, gender, age, disability, medical condition, marital status, religion, or other similar factors as defined by law. SCCCDC is a Title V employer.

Recruitment Period: The time span, normally 45, but not less than 30, calendar days, during which application materials will be sent or given out upon request and received for consideration for a particular vacancy.

Temporary Full Time Hire: An individual who shall normally be offered a contract for a maximum of one year.

Adopted by Chancellor's Cabinet: August 18, 2008

San Mateo County Community College District
FORM 1: APPLICATION FOR EQUIVALENCE TO MINIMUM QUALIFICATIONS
FOR ACADEMIC POSITIONS ONLY

Part A: Completed by the applicant or current employee (Please type or print)

Name:

Email:

Phone/Ext.:

Division/Dept:

Current teaching discipline or non-instructional academic service:

At (select one): ☐ Cañada College ☐ College of San Mateo ☐ Skyline College

Application for Equivalence to Minimum Qualifications for the Discipline

I am attaching supporting materials, such as official transcripts, credentials, licenses, certificates, employer attestations, publications, etc., which validate the following assertion(s): (mark one)

Which Discipline and Degree are you applying for Equivalency to, as identified in the [Handbook for Minimum Qualifications for Faculty and Administrator in California Community Colleges?](#):

☐ **Degree Equivalence**

The employee or applicant possesses a degree(s) with similar content to those listed for the relevant discipline. The name of the degree is close to that specified on the Disciplines List but the degree either has a different title or area of expertise or the coursework is slightly different. Equivalence is established through analysis of transcripts and coursework.

☐ **Academic Background Equivalence**

Related to disciplines in which a Master's degree is not generally expected or available. The employee or applicant must have completed at least 24 semester units (or equivalent) of coursework in the academic field and must possess at least the equivalent level of achievement and the equivalent in breadth, depth of understanding, and rigor in each of the following:

1. A broad cultural education usually met by the general education requirements for any Bachelor's or Associate's degree, and
2. A detailed study of the discipline in breadth, depth, and rigor, usually met by course work required for the degree major.

☐ **Professional Achievement Equivalence**

The employee or applicant must have completed the general education requirements for any Bachelor's or Associate's degree, and show evidence of outstanding professional achievement and/or substantial training in the requested field. The employee or applicant must submit substantial evidence, which demonstrates that their preparation, teaching experience, work experience, and ability are equivalent to those expected from a person who meets the minimum qualifications.

I understand that administrative and Academic Senate representatives, as well as the appropriate college Vice President, pursuant to current District procedures will review this Application for Equivalence. I understand that their recommendation will be forwarded to the College President for review, and if approved, will be forwarded to the Office of Human Resources for approval by the Board of Trustees.

Applicant Signature

Date

PART B: Completed by the Faculty Equivalency Committee. Responsible administrator forwards to the Academic Senate President and College Vice President, accompanied by supporting documents.

Faculty Equivalency Committee Review Team Members Recommendation:

Do you recommend this applicant receive equivalency to minimum qualifications for the discipline?

- | | | |
|-------------------------|------------------------------|-----------------------------|
| 1. Faculty: _____ | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 2. Faculty: _____ | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 3. Faculty: _____ | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 4. Faculty: _____ | <input type="checkbox"/> YES | <input type="checkbox"/> NO |
| 5. Administrator: _____ | <input type="checkbox"/> YES | <input type="checkbox"/> NO |

Equivalency to Minimum Qualifications for the discipline of: _____

Overall FEC Recommendation:

Recommended

Not Recommended

Rationale is as follows: *(Attach additional pages if needed)*

Signatures: Faculty Qualifications Committee

Your Signature below acknowledges the process for equivalence for minimum qualifications has outlined according to AP 3.05.1

_____ Faculty,	_____ Date
_____ Faculty,	_____ Date
_____ Faculty,	_____ Date
_____ Faculty,	_____ Date
_____ Administrator,	_____ Date

PART C: SIGNATURES

Completed by the College Academic Senate President and appropriate Vice President and forwarded to the College President for recommendation, accompanied by supporting documents.

Approval of the process of determining equivalency to minimum qualifications for the above-listed candidate and discipline(s) is verified by the following signatures.

☐ **Yes** - I concur with the overall recommendation of the FEC.

☐ **No** - I do not concur with the overall recommendation of the FEC.

Signature:

College Academic Senate President, College

Date

☐ **Yes** - I concur with the overall recommendation of the FEC.

☐ **No** - I do not concur with the overall recommendation of the FEC.

Signature:

Vice President, College

Date

***If the President does not concur with the recommendation of the FEC and/or the college Vice President and Academic Senate President, the justification and reasoning will be communicated, in writing, to the FEC the Academic Senate President, and the District Academic Senate, within ten (10) working days.*

☐ **Yes** - I concur with the overall recommendation of the FEC.

☐ **No** - I do not concur with the overall recommendation of the FEC.

Signature:

President, College

Date

The applicant should be granted equivalency

☐ Yes

☐ No

Date of Board of Trustees Approval:

Upon concurrence of the college president, the equivalence recommendation will be forwarded to the Board of Trustees for consideration. The college president is responsible for forwarding this form to Human Resources. A copy of the Board action will be placed in the applicants personnel file.