

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: April 15, 2017; August 19, 2020; August 22, 2024

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

Standards to Be Used When Determining Equivalency:

1. Minimum qualifications in a discipline—and, by extension, equivalency—are the same whether the position is for a full-time or part-time faculty member.
2. Equivalency is determined for an entire discipline, not on a course-by-course basis, per legal opinion I 03-28. The granting of equivalency is on a case-by-case basis and does not set precedence for future hires.
3. Past equivalency decisions in the discipline will be made available as needed to the Equivalency Committee or to the dean and chair in that department to aid in their deliberations and can be considered when determining equivalency, though they do not establish precedence.
4. Should an equivalency be granted, that decision shall not give the applicant any more or any less consideration than other applicants. In addition, granting an equivalency neither guarantees an interview nor a job.
5. It is the applicant's responsibility to provide all documentation in support of equivalency and to be available for questions. Applicants wishing to establish equivalency through work experience should provide objective, detailed information about those work experiences. Any applicant who fails to provide evidence to support his/her the claim of a credential, or of minimum qualifications, or of equivalency may be eliminated from the applicant pool.
6. HR shall provide applicants with guidance, examples, and clear instructions for requesting equivalency. They will also clarify on application forms who should complete the Equivalency Form.
7. Various occupational experiences may be combined to total the required number of years established by the minimum qualifications; all experience must have taken place within the ten years preceding the date of application with at least one year of qualified experience occurring within the three years immediately preceding the date of application.

8. For the Performing Arts, a bachelor's degree in the discipline plus advanced degree from an accredited institution specific to that art, or a bachelor's degree in the discipline and four years of professional experience in the discipline, is required to be considered for equivalency.
9. No candidate for a full-time position shall be recommended as a finalist to the President without meeting the minimum qualifications or having been verified as meeting the equivalency.
10. No candidate for part-time employment shall be hired without either meeting the minimum qualifications or having been verified as meeting equivalency per these procedures.

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.

For individuals interested in teaching classes as part of a College and Career Access Pathways (CCAP) Agreement, a two-member college committee shall review and verify Minimum Qualifications or deny with a referral to the Equivalency Committee (if applicable). The committee shall include a discipline dean and discipline faculty member. The College's Academic Senate President and Dual Enrollment Administrator will be notified that an individual has been verified for minimum qualifications or if the individual will need to go through the equivalency 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. An FSA application must be received in the appropriate VPI or VPSS office on or before February 15 in order to be considered as a basis for reassignment in the event of reductions in force, program discontinuance, and/or lack of funding pursuant to the provisions of Education Code, during the subsequent academic year

4. 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. HR will provide guidance, resources and examples to help applicants complete their equivalency application.

2. All equivalency requests are reviewed by the Faculty Equivalency Committee (FEC).

3. The Faculty Equivalency Committee (FEC) shall be a sub-committee of Academic Senate consisting of six faculty members (two from each college). The District Academic Senate President serves as the chair of the committee. FEC members will be appointed by local Academic Senates for a term of two years. Colleges should alternate appointments of their members, making an appointment every academic year. There is no limit on the number of times a faculty member may be reappointed to the FEC.

4. Every fall, during the first FEC meeting of the semester, experienced FEC members and the District Academic Senate President will conduct a training for new members.

5. Each meeting of the FEC will consist of three members of the committee, one from each college in the District. Committee members will alternate attendance, attending every other meeting of the FEC.

5. As equivalency requests come forward (equivalency requests can be submitted by Deans, screening committee chairs, and HR), redacted equivalency applications will be sent to all members of the FEC and the District Academic Senate President to appear on an FEC agenda. Redacted equivalency applications must be received at least two business days before an FEC meeting to be considered. If received later than two business days before a meeting, the equivalency application will appear on the next FEC agenda. An emergency meeting of the FEC can be called at any time by the District Academic Senate President.

6. To support the work of the FEC, the committee may request the presence of a discipline expert to consider equivalency applications.

7. The deliberation process of the three-member Faculty Equivalency Committee (FEC) shall be closed and confidential.

8. 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.

9. 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.

10. The three means of demonstrating equivalency are as follows. Applicants may select more than one form of equivalency but must provide applicable evidence for each type:

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 **or where the degree is relatively specialized**, 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:

- a broad cultural education usually met by the general education requirements for any Bachelor's or Associate's degree, and
- 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 demonstrate equivalence to 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, publications, portfolios, speaking engagements and ability are equivalent to those expected from a person who meets the minimum qualifications.

11. 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.**

12. 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.

13. 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. **While confidentiality is important, it should not supersede the ability of an applicant to provide non-redactable evidence such as publications, portfolios, or creative products.**

14. 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, The FEC will make a request to HR, and HR will communicate 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. While confidentiality is important, it should not supersede the ability of an applicant to provide non-redactable evidence such as publications, portfolios, or creative products.

15. 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.

16. The FEC will document the recommendations 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.

17. After an interview, if the candidate is being considered for hire... The written recommendation of the FEC, based on the recommendation of the majority of the three 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. If the majority of faculty in the FEC support equivalency, the application will be forwarded to the Board of Trustees for consideration. A copy of the Board action will be placed in the applicant'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.

- b) Education Code §87359 states that determination of equivalency is a faculty responsibility through the academic senate. While governing boards are the final legal authority to approve equivalencies, the academic senate and hence the FEC is responsible for determining equivalency. (ASCCC Equivalence to MQs, Fall 2020, ed. P 15)

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.

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

19. The decision of the FEC is final and cannot be appealed for candidates not currently employed by SMCCD. If applying for equivalency within the same discipline, applicants may apply for equivalency one calendar year from the date of their previous application. If applying within a different discipline, applicants can reapply at any time.

In the case of reapplication, efforts will be made to maintain the same committee as the first application.

The FEC/District Academic Senate President/HR will keep a list of equivalency applicants noting the date of application, type of equivalency applied for, discipline, and final decision to be referenced with each new equivalency application.

- This list shall be used to ensure that applicants are not reapplying within one calendar year. Additionally, in the case of new hire equivalency applications who were granted equivalency to interview but were not ultimately hired and therefore never approved by the Board, the FEC can recommend equivalency for those applicants without forming a new committee within three calendar years of initial application if the standard hasn't changed. If minimum qualifications have changed within that discipline, reapplication is necessary.
- In the case that an FEC is meeting for an existing faculty member, whether part or full-time, in relation to their current assignment, the faculty member shall

have the right to appeal within 10 business days by notifying HR. The faculty member should state the reason for reconsideration. -The FEC is not intended to be weaponized against current faculty in good standing simply because a procedure was not followed appropriately in the past. (added by Andrea, draft for discussion)

20. 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.