



Equivalence to the Minimum Qualifications



**A Presentation for
Antelope Valley College**

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Who Determines Equivalency?

- Education Code §87359 requires that each district's governing board and academic senate **jointly** develop an equivalency policy.

<http://www.leginfo.ca.gov/calaw.html>


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History

- 1988 -- Community College Reform Act (AB 1725)
 - Phased out a system of credentials for community college faculty
 - Replaced credentials with a process for establishing minimum qualifications
 - Established that qualifications equivalent to the published minimum qualifications

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The Bottom Line:

- According to Education Code § 87359, someone who does not possess the minimum qualifications for service may be hired as a faculty member only if he or she is judged to possess “qualifications that are *at least equivalent to* the minimum qualifications... [Italics added].”

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What is an EQUIVALENCY?

- Equivalency is a term used in the Disciplines List, a list of Board of Governors adopted minimum qualifications for hiring faculty.
- Equivalency refers to any qualifications that are at least equal to the state-adopted minimum qualifications for a particular discipline.

- *The current Disciplines List can be found in the System Office's publication Minimum Qualifications for Faculty and Administrators in California Community Colleges (January 2006).*

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IT'S THE LAW!

- The Equivalency process was created by AB1725 and chaptered into the California Education Code. Districts are **not** free to ignore this provision within the law.
- According to Education Code §87360, every community college district was required to have adopted a policy for establishing equivalency as part of its hiring criteria, policies, and procedures by July 1, 1990

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Education Code §87359 (b)

- requires that "[t]he process, as well as criteria, and standards by which the governing board reaches its determination 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."

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Local Senate Responsibilities

- The faculty, through its academic senate, has the responsibility for making recommendations on all academic and professional matters.
- Title 5, Section 53200, includes the following areas as "academic and professional matters."

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The Ten-Plus-One

- 1. Curriculum (including establishing prerequisites and placing courses within disciplines).
- 2. Degree and certificate requirements.
- 3. Grading policies.
- 4. Educational program development.
- 5. Standards and policies regarding student preparation and success.

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Academic and Professional Matters (continued)

- 6. District and college governance structures.
- 7. Faculty roles and involvement in accreditation process, including self study and annual reports.
- 8. Policies for faculty professional development activities.
- 9. Processes for program review.
- 10. Processes for institutional planning and program review.

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Academic and Professional Matters

- 11. Other academic and professional matters as mutually agreed upon between the governing board and the academic senate.

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BENEFITS OF EQUIVALENCY

- Greater flexibility in hiring
- Ensures that the governing board *relies primarily* upon the advice and judgment of the academic senate to determine that each faculty member employed “possesses qualifications that are **at least** equivalent to the applicable minimum qualifications specified in the Disciplines List.

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How Are Equivalencies Recognized?

- Many criteria for determining equivalency seem obvious and can be handled in a simple manner. Others are more difficult. The three means of demonstrating equivalency are
- coursework,
- work experience,
 - and eminence. (a sub-set of *experience*)
 - (or a combination of the course work, work experience, and eminence)

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While §87359 states that

- equivalency means “qualifications that are at least equivalent to the minimum qualifications,” neither the Education Code nor Title 5 regulations provide any further guidelines for what constitutes *at least equivalent*. That is determined by each district’s governing board using the advice of its academic senate.

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The Academic Senate has consistently supported the following basic principals for granting equivalency:

- Equivalent to the minimum qualifications means at least *equal to* the minimum qualifications, not nearly equal.
- The applicant must provide evidence of attaining the general education component of a regular associate or bachelor’s degree.
- The applicant must provide evidence of attaining the skills and knowledge provided by specialized course work required for a master’s degree (for disciplines on the Master’s List) or requisite experience (for disciplines on the Non-Master’s List).
- The Academic Senate believes that faculty members must exemplify to their students the value of an education that is both well-rounded and specialized.

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Coursework Equivalencies:

- The applicant has all the appropriate courses for the relevant degree, but the diploma or degree has a different title or area of expertise
- The name of a degree is close to that specified on the Disciplines List but the course work is slightly different

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And . . .

- Other more difficult cases occur when work experience is proposed as the equivalent of academic work
- We must also distinguish between general education preparation and specialized (i.e., major) preparation. The Academic Senate supports the principle that all community college faculty exemplify the qualities of a college educated person. This is why the universal requirement for disciplines on the Non-Master's list includes at least an associate degree in addition to six years of experience (or a bachelor's degree and two years of experience).

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So . . .

- **When determining an applicant's equivalency, an equivalency committee should consider whether the applicant satisfies the two-year general education qualification for which she or he seeks equivalency.**

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Therefore,

- the candidate seeking equivalence should be measured by the **same yardstick** as a candidate who possesses the minimum qualifications.

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THE PROBLEM OF DETERMINING EMINENCE

- A Title 5 regulation that has been repealed defined eminence as "**superior knowledge and skill [...] in comparison with the generally accepted standard of achievement in the subject field.**"
- Furthermore this regulation indicated how eminence should be determined stating, "[d]etermination of eminence should be based on a conviction that the applicant, if measured by recognized authorities in his subject field, would be judged superior."

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A PROCESS FOR DETERMINING EQUIVALENT QUALIFICATIONS

- Degree for which you claim equivalency.
 - Indicate the educational preparation on which you base this claim for the **major** of this degree.
 - Indicate the educational preparation on which you base this claim for the **general education** requirement of this degree.
 - Indicate what relevant courses you have taken or other evidence that you have the **equivalent of the General Education** portion of this degree.
 - If you are using courses to establish equivalency, please submit both an official **transcript** and copies of the appropriate pages from the college **catalog**.
 - If you are using **publications** or other work products, please submit them if possible.
 - Describe in detail **work experience** which you believe establishes equivalency to the minimum qualifications. If you are using work products or other items which cannot be submitted, provide detailed information from an objective source about the nature of this work product or experience.

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FACULTY RESPONSIBILITIES

- Determination of equivalency is a faculty responsibility. **Only faculty in the discipline** in question possess the academic expertise needed to determine qualifications in that discipline.

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Equivalency committees

- Many local academic senates also use an **equivalency committee** to ensure that **discipline selection committees** follow the equivalency process consistently and fairly. These academic senate equivalency committees typically consist of three or four members, each member selected for a term of at least one year.

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The Role of Human Resources

- should be limited to collecting, date-stamping, and forwarding applications and other pertinent information to the appropriate screening committee.
- A college district that attempts to use its human resources office staff to establish equivalence not only risks creating a situation in which candidates are not evaluated appropriately but is out of compliance with the Education Code and Title 5 Regulations (see Education Code §87359 (b) and Title 5 '53430 (b)).

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DETERMINATION OF EQUIVALENCY FOR PART-TIME HIRES

- Minimum qualifications in a discipline -- and, by extension, equivalency -- are the same whether the position is full- or part-time. Title 5 Regulations do not allow for a different standard of equivalency for part-time faculty.
- Ideally, part-time faculty should be hired from a pool of available faculty whose minimum qualifications have been established.

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THE SINGLE-COURSE EQUIVALENCY ISSUE

- Education Code §87359 (a) (see also Title 5 '53430) states, "No one may be hired to serve as a community college faculty ... unless the governing board determines that he or she possesses qualifications that are *at least equivalent* to the minimum qualifications specified" (italics added). In addition, minimum qualifications are determined for *disciplines*, not for courses or subject areas within disciplines.

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One problem . . .

- that college instruction offices must address is how to provide a means by which faculty discipline experts can make a determination of equivalency for part-time hires, especially during times when few faculty are on campus.
 - Hiring an applicant whose equivalency has not yet been established according to regulations is a clear violation of the Education Code and will result not only in a possible lawsuit but in the district's loss of state apportionment and the units earned being withdrawn on student transcripts.

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Solutions:

- Colleges can solve some of the hiring problems they face by creating more full-time positions to attract fully qualified applicants.
- Another solution, which is both expedient and appropriate, invokes the process of assignment of courses to disciplines

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It is perfectly appropriate, for example,

- to assign a course associated with coaching soccer to the discipline of *coaching* as well as to the discipline of *physical education*, thereby increasing the pool of applicants. Such a cross listing will also address the claim that if a college grants someone a physical education equivalency to coach soccer, it must let that individual teach any course in physical education. If the individual were granted equivalency only in *coaching*, that claim would become groundless, though the person may be assigned to coach any sport.

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Likewise,

- it would be pedagogically sound and appropriate to assign a course such as word processing to a range of disciplines. Instead of assigning a word processing class only to the discipline of business, it could also be cross-listed under computer applications, computer science, and office management. An instructor with minimum qualifications in office management who is hired to teach a word processing class could not then legitimately request assignment to other courses in business without meeting the minimum qualifications (or equivalent) for business.

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Staffing carries responsibilities:

- A department head for Physical Education may request equivalency for a person who taught aerobics. The applicant is experienced in that specialty and holds a bachelor's in exercise physiology, a related discipline. She does not meet the minimum qualifications for PE, and by law she may not be limited to a single course.
- For the sake of maintaining the integrity of our profession, faculty should demand that their college's equivalency processes reflect the principles of the relevant statutes and not allow for any such adaptations that end up diminishing the minimum qualifications.

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RECOMMENDATIONS

- **RECOMMENDATIONS**
- Equivalency must be determined primarily by discipline faculty.
- Equivalency for part-time faculty and "emergency hire" should be no different from equivalency for full-time faculty.
- Local senates must ensure that their district and college policies and processes do not allow for single-course disciplines.
- Academic senates should assure consistency of the equivalency process.
- Equivalency decisions should be based on direct evidence of claims (e.g., transcripts, publications, and work products).

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And . . .

- **Claims of equivalence must include how both general education and specialization are met.**
- **Human resources offices should NOT screen for equivalency.**
- **Local senates must never allow equivalency to be delegated to administration or classified staff.**
- **Equivalency policies should be reviewed every few years.**
- **Those responsible for campus and district professional development activities concerning the determination of equivalencies should request materials from the Academic Senate Office.**