

AP 7211 Equivalency Process

Minimum Qualifications

Faculty shall meet the 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. In addition, for disciplines not requiring a master's degree, all professional experience in the discipline must be occupational in nature as per Title 5, Section 53404.

Equivalencies

Equivalencies must be "at least equivalent" to the State Minimum Qualifications (Title 5, Section 53430) and cannot supersede state Minimum Qualifications (MQs).

Equivalency Committee: An Academic Senate Equivalency Committee shall fulfill the requirement of Education Code Section 87359, which states that the equivalency process "shall include reasonable procedures to ensure that the Board of Trustees 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..." Per Board Policy 7211, "For determining appropriate equivalencies to the State's minimum qualifications, the Board agrees to accept the recommendations of the Academic Senate as authorized by Education Code Section 70902(d)." To ensure that the Board of Trustees relies primarily on the advice and judgment of the Academic Senate, the Academic Senate Equivalency Committee shall:

- make all equivalency determinations and report them to Human Resources;
- further clarify the criteria to be used for determining equivalency;
- work with Human Resources to keep records of all equivalency determinations;
- periodically review this procedure and recommend necessary changes to the Academic Senate and Board of Trustees; and
- in general, ensure that the equivalency process is efficient and meets the requirements of the law.

The Academic Senate Equivalency Committee shall consist of five members of the faculty, including at least one faculty member from the career technical education area, appointed by the Academic Senate President, and one non-voting representative from Human Resources appointed by the Vice President of Human Resources. The Academic Senate President will seek to balance the committee to reflect the college's subject, gender, and ethnic diversity. The Academic Senate President will value the inclusion of committee members with experience and knowledge of equitable hiring practices.

With a full complement of five members, a minimum of four voting members of the Equivalency Committee must vote favorably for equivalency to be granted. This may be qualified by two unusual circumstances:

- a. If at any time the Equivalency Committee consists of only four voting members, three affirmative votes are necessary for the equivalency to be

granted.

- b. If the Equivalency Committee is unable to consider an equivalency application in a timely manner; e.g., when the college is not in academic session, an Equivalency Committee member, the Selection Committee, or Dean/Division Chair/Director may institute an emergency procedure. Approval of the candidate must be based on the belief that the candidate does qualify for equivalency by a review of the documentation. An emergency equivalency must be approved by: (1) the entire Selection Committee, (2) the Vice President/Assistant Superintendent, Instruction, (3) the Dean, Division Chair, or Director, and (4) a member of the Equivalency Committee. An emergency equivalency shall be allowed to stand for one semester only, during which the Equivalency Committee will reach an official equivalency decision.

Determination of Equivalencies: The following procedures are to be used to determine equivalency status of any potential faculty applicant. The procedure is intended to ensure a fair and objective process for determining when an applicant has equivalent qualifications. It cannot be used to grant waivers for lack of the required qualifications. Equivalencies are granted for minimum qualifications discipline designations, not for specific courses. The granting of equivalency is on a case-by-case basis and does not set precedence for future hires.

All faculty position announcements shall state the required qualifications as specified by the current *Minimum Qualifications for Faculty and Administrators in California Community Colleges* from the Chancellor's Office and the possibility of meeting these qualifications via an equivalency. All announcements shall state any required occupational licenses or certificates, if applicable.

The processes outlined in AP 7120 Faculty Recruitment and Hiring will be followed to determine which applicants need equivalency. For equivalency candidates to be considered, the candidate's equivalency must be approved by the Equivalency Committee before the Selection Committee begins the interview process.

Faculty of Cuesta College may also request an equivalency to the minimum qualifications to meet the requirements to be eligible to work in a discipline other than that for which they were originally hired. A faculty member in this situation may submit their materials for review to HR who will first review it for meeting the published minimum qualifications for the requested minimum qualifications discipline designation (or the approved Discipline (MQDD) Equivalency Agreement if one has been established). If it is not an exact match to the published minimum qualifications or approved Discipline (MQDD) Equivalency Agreement, the request will be sent to the Equivalency Committee for evaluation using the procedures below. If the equivalency is granted, but not guaranteed, the faculty member will be eligible to be assigned to additional courses within their current department or division.

Equivalencies to Minimum Qualifications (Full-time and Part-time)

The following process and criteria are used to determine equivalencies to minimum qualifications for both full- and part-time faculty:

1. Each member of the Equivalency Committee will be provided with the current copy of *Minimum Qualifications for Faculty and Administrators in California Community Colleges*, which outlines the basic standards for certificated employment at a California

community college. A current electronic file of the *Minimum Qualifications for Faculty and Administrators in California Community Colleges* will be maintained on a Cuesta College Senate site.

2. There is a default equivalency process; however, departments can establish a specialized Discipline (MQDD) Equivalency Agreement (see below). If no approved Discipline (MQDD) Equivalency Agreement is in place, the default process is followed.
3. If the applicant's qualifications match the published minimum qualifications discipline designation requirements or the approved Discipline (MQDD) Equivalency Agreement, then the candidate's minimum qualifications discipline designation is approved. If the applicant's qualifications do not match the published minimum qualifications discipline designation requirements or the approved Discipline (MQDD) Equivalency Agreement, then the candidate's petition will be considered by the default equivalency process.
4. The petitioner is responsible for ensuring 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 Human Resources, screening committee members, discipline experts/representatives, Department Chairs, or Deans of Instruction/Student Services who are interviewing and/or screening potential full-time or part-time candidates ensure that the candidates are aware of equivalency requirements and procedures and should also assist the petitioner to ensure complete equivalency petitions are prepared for submission.
 - a. To expedite the consideration of the petition, it is required that all forms and documents be submitted in an electronic file format to be made available to all Equivalency Committee members through a secure process, managed by Human Resources.
 - b. Legible copies of unofficial transcripts and/or certificates are to be submitted for consideration of the petition.
 - c. Complete petitions will include a full and detailed description articulating those exact courses/experiences which the petitioner is asserting make them equal to a candidate who meets the currently established minimum qualifications. If the petitioner has qualifications that fall under the Discipline (MQDD) Equivalency Agreement that has been established by a department or division and approved by the Equivalency Committee, this matrix of comparable coursework may not need to be completed, depending on the agreement.
 - d. Additional evidence of equivalency may include:
 - i. Publications that show a command of the major in question, the general education of the candidate, or their writing skill;
 - ii. Other work products that show a command of the major or occupation in question.
 - e. The Equivalency Committee may consult with the Division Chair or faculty within the discipline during their evaluation of petitions.
5. If the petitioner is lacking the appropriate degree(s) in ***"disciplines where a master's degree is required,"*** and does not meet a current approved Discipline (MQDD) Equivalency Agreement, at a minimum, they must include:
 - a. A list of the requirements for earning the degree in question from an accredited institution in the United States (appropriate pages hyperlinked from the institution's catalog will suffice), and

- b. A completed matrix illustrating how their various academic and professional experiences satisfy the requirements of the degree that they lack. Course descriptions are required to accompany the course names.
6. 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*** and does not meet a current approved Discipline (MQDD) Equivalency Agreement, at a minimum, they 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), and
 - ii. A completed matrix illustrating how their various academic and professional experiences satisfy the requirements of the degree that they lack. Course descriptions are required to accompany the course names.
 - b. and the petitioner is ***lacking the specified years of experience***, and does not meet a current approved Discipline (MQDD) Equivalency Agreement, at a minimum, they must include:
 - i. A completed matrix illustrating how their various academic and professional experiences satisfy the years of experience that they lack. Course descriptions are required to accompany the course names.

Pursuant to Title 5 § 53406, all degrees and coursework must be from colleges/universities accredited by one of the intersegmental accrediting agencies: Western Association of Schools and Colleges, Middle States Association of Colleges and Schools, New England Association of Schools and Colleges, North Central Associations of Colleges and Schools, Southern Association of Colleges and Schools, and Northwest Association of Schools and Colleges.

7. Petitioners should pay special attention to detail in establishing their comparative academic and professional experiences and submitting supporting materials to avoid unnecessary delays caused by the need to request additional information or support.
8. The Equivalency Committee shall review equivalency petitions to determine whether the equivalency proposed is in fact equivalent to the stated minimum qualifications. The Equivalency Committee will consider related degrees, general education coursework, experience, and specialization of coursework in the given discipline. The Equivalency Committee will review the equivalency documentation to confirm that all legal requirements related to the equivalency are met and then will forward its decision to Human Resources.
- a. When the Equivalency Committee needs clarification on an equivalency application, the Equivalency Committee may request additional information from the Selection Committee Chair. At the discretion of the Equivalency Committee, additional information, supporting materials, or additional justification or support from the Division Chair or faculty within the discipline may be requested during the review period.
 - b. The Equivalency Committee will consider the petition and inform HR of their decision in a timely manner, keeping in mind critical dates such as interview dates.

9. If a petition has been denied, the Equivalency Committee has 3 working days from the day the decision was made to provide HR with formal notification and justification for denial. The Chairperson 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. If the hiring timeline permits, within 3 working days of notification from HR, petitioners who have been denied equivalency may resubmit their equivalency application with additional information for reconsideration. Current Cuesta faculty may resubmit their equivalency application with additional information for reconsideration past the 3 working day deadline.
10. Current Cuesta faculty may apply for equivalency in an additional discipline without limitation to deadlines or to number of attempts, as long as additional information is provided with each attempt.
11. The equivalency 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.

Options for Consideration for Equivalencies based on Eminence

Although no legal definition of eminence exists, eminence shall mean that qualifications which, as evidenced by prominence is established by the specific industry, discipline, or field, and may be deemed equivalent to minimum qualifications. The following process and criteria are used to determine equivalencies to minimum qualifications for both full-and part-time faculty based on eminence:

1. Documentation of qualifications which provide evidence of prominence as established by the specific industry, field, or discipline and may be deemed equivalent to minimum qualifications. This may include appropriate local, state, national or international associations, trade unions, guilds or communities comprised of experts who are themselves renowned in the specific field, and who can attest, in writing, to the prominence and expertise of the applicant, and
2. Eminence alone is not sufficient to grant equivalency. An application of equivalency based on eminence must be accompanied by conclusive evidence that the applicant exemplifies qualities of a college-educated person and has college-level knowledge and abilities. The applicant must provide documentation supporting the status of eminence.

The Process for Establishing Discipline (MQDD) Equivalency Agreements

1. The Equivalency Committee governed by this agreement shall be responsible for overseeing the equivalency actions taken by the various departments.
2. The Equivalency Committee shall establish appropriate forms for the above purpose.
3. When a department proposes a Discipline (MQDD) Equivalency Agreement, an application of acceptance shall be forwarded to the Equivalency Committee for review. If the Equivalency Committee does not accept the Discipline (MQDD) Equivalency Agreement, then the application shall be returned to the department with the reason(s) for non-acceptance. The department may attempt to make changes and will then forward the

application to the Equivalency Committee for further review. The Equivalency Committee may accept it or return it again for further changes.

4. A department may propose changes to its Discipline (MQDD) Equivalency Agreement at any time. An application of acceptance shall be forwarded to the Equivalency Committee for review. If the Equivalency Committee does not accept the changes to the policy, then the application shall be returned to the department with the reason(s) for non-acceptance. The department may attempt to make changes and will then forward the application to the Equivalency Committee for further review. The Equivalency Committee may accept it or return it again for further changes.
5. Should discipline faculty not wish to establish a Discipline (MQDD) Equivalency Agreement, the default procedures described in this policy will be followed.

*Approved by Senate 4/22/2022