**Agenda**

April 2, 2019

Location: Board Room

1:00 p.m.

1. **Call to Order**
2. **Approval of Minutes:** March 19, 2019
3. **Public Comment** *– Persons wishing to address the Academic Senate on any item on the agenda or comment on any other matter are allowed three minutes per topic.  Pursuant to the Brown Act, the Academic Senate cannot discuss or take action on items not listed on the agenda.  Matters brought before the Academic Senate that are not on the agenda may, at the Senate’s discretion, be referred to the Senate Executive Council or placed on the next agenda.*
4. **President’s Report**
   1. Senator Homework Reminder: All current senators should study the new AP 7211 document and garner feedback from their respective divisions and bring back any recommendations to senate by the April 16th meeting (see Addendum A and Addendum B, along with Bean’s email on March 22 for additional background info, Title V, Ed Code, and other definitions).
   2. Equivalency Taskforce Update
   3. Bylaws/Constitution Taskforce Update
   4. Board of Governors Applications—All materials must be received by the Academic Senate Office by 11:59 p.m. on, June 30, 2019: <https://www.judgify.me/cccboardofgovernorsnominations2019>
5. **Vice Presidents’ Reports**
   1. 1st Vice President
   2. 2nd Vice President
6. **Unfinished Business**
   1. Associate Degree for Transfer (ADT) Major Course Substitutions

Executive Motion: To expand ADT major course substitutions that are permissible by the Transfer Model Curriculum (TMC)with internal courses to increase the number of students who receive the transfer guarantee to a California State University (CSU) campus.  
Rationale:

* + - * Ensures that all students, who by the TMC are eligible for an ADT, would be guaranteed admission to a CSU campus
      * Increases transfer admission rates at a time when impaction is growing in our local CSUs
      * Allows students to follow a common set of major preparation instead of being evaluated for admission using different campus specific major criteria (i.e., CSULA, CSULB)
  1. Student Non-Participation

1. **New Business**
   1. ASCCC Area C Meeting and Plenary Resolutions Update (find resolutions packet at <https://asccc.org/events/2019-04-11-150000-2019-04-13-230000/2019-spring-plenary-session>)
2. **Committee Reports**

Senate Committees:

* Academic Rank
* Curriculum
* Guided Pathways Steering (GPS)
* Instructional Technology (ITC)
* Online Education (OEC)—see Addendum C
* Open Educational Resources (OER)
* Staff Dev./Flex
* Outcomes

Planning & Fiscal Council Committees:

* Institutional Effectiveness (IEC)
* Program Review
* Safety

Other Committees:

* Basic Skills
* Bookstore
* Enterprise Systems Advisory
* Online Education Initiative (OEI)
* Student Equity
* Student Success and Support Program (SSSP)

1. **Announcements**
2. **Adjournment**

**Addendum A: Equivalency Background Info**

Equivalency - An Overview Submitted M.Pilati

The concept of an applicant for a position being hired on the basis of being “equivalent” is established in California law. Specifically, in Education Code (emphasis added):

**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.

The phrase “The criteria used by the governing board in making the determination shall be reflected in the governing board’s action employing the individual.” is noteworthy in that it requires that the basis for the equivalency be clearly and publicly documented. Legal Opinion L 02-28 makes this explicit:

At a minimum, the criteria relied upon must be included in the board action. Because a district may establish criteria which permit demonstrating equivalency in various ways, the governing board's employment action must reflect the particular way in which the criteria were satisfied in a given case. For example, if a person claims the educational equivalency for a particular degree, he/she might be required to provide a transcript to demonstrate that he/she took courses equal to those needed for the major for that degree. Whatever the criteria used to establish the equivalency, that criteria must be reflected in the board action. Nothing in the statute or regulation indicates the specificity of information that is necessary, but it is reasonable to assume that the board action would at least indicate that the person met minimum qualifications through equivalent coursework, for example.

Consistent with Education Code, Title 5 § 53430 states that “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…” The equivalency process is not a means of bypassing or lowering the state-defined minimum qualifications (MQs), it is a means of recognizing when an applicant has met - or exceeded - the MQs by some mechanism other than the pre-defined criteria in the MQs. It allows colleges, for example, to deem someone “equivalent” when the degree they were granted does not carry one of the names specified in the MQs or when they have completed coursework equivalent to a specific degree but were not conferred a degree with that specific name.

Rio Hondo College’s current equivalency practice has resulted in:

1. qualified faculty being removed from applicant pools.
2. the adoption of MQs that are not equivalent.

Examples:

1. Qualified Faculty Removed from Applicant Pools
   1. Applicants who hold a degree not specified in the MQs or the equivalency have been “screened out” by Human Resources. Example: At UCI, psychology is housed in social ecology. Someone with a degree in social ecology historically was removed from the applicant pool.
   2. Applicants who have academic preparation equivalent to the required preparation but do not hold a degree specified in the MQs are not considered.
2. Non-Equivalent Equivalencies Adopted

(The following are from the “List of Equivalencies” posted at <https://www.riohondo.edu/hr/academic-employee-minimum-qualifications-equivalencies/> and dated 8/28/2018) Modifications have been made to decrease length. **These are examples of existing equivalencies that may or may not be problematic**. The Disciplines List (the formal document that lists all available MQs) historically was divided into two parts to differentiate those disciplines for which a master’s degree is required as a precondition for employment, from those for which it is not. The following disciplines are included in the Master’s List.

|  |  |  |
| --- | --- | --- |
| Discipline | MQs | Equivalency |
| Child  Development (CD) | Master’s in CD, ECE, human development, home economics/family and consumer studies with a specialization in CD/ECE, or educational psych with a specialization in CD/ECE **OR** Bachelor’s in any of the above **AND** Master’s in social work, educational supervision, elementary ed, special ed, psych, bilingual/bicultural education, life management/home economics, family life studies, or family and consumer studies **OR** the equivalency. | A Master's in education **AND/OR** special education with 24 units in child development **PLUS** experience working with children in a group setting for (3) three consecutive years with at least two (2) years with children birth to age 12. |
| Education | Master’s in education **OR** the equivalency. | Any Master's with 24 units in Child Development **PLUS** experience working with children in a group setting for three (3) consecutive years with at least two (2) years with children birth to age twelve (12). |
| Law | \*J.D. or LL.B | A Master's in business or a related area; **OR** a Bachelor's degree in business or related area **AND** a combination of successfully completed coursework, totaling at least twelve (12) units at the upper division level **AND** twelve (12) units at the graduate level in the area in which the equivalency is requested **AND** evidence of experience in a business or related area. |
| Political Science | Master’s in political science, government, or international relations OR Bachelor’s in any of the above AND Master’s in economics, history, public administration, social science, sociology, any ethnic studies, J.D., or LL.B OR the equivalent. | A Master's in international relations, comparative politics, public administration, political theory, philosophy, public policy, or US government. |

\*NOTE: Courses in aspects of law for application to a particular discipline may be classified, for minimum qualifications purposes in the discipline of the application **OR** the equivalent. (In other words, a business law course could appropriately be assigned to the business discipline.)

Proposed changes to the college’s equivalency policy would allow all applicants a chance to demonstrate their equivalency - ensuring faculty are determining whether or not an applicant should be removed from the pool. And a committee would be established that would review all pre-determined equivalencies.

**Proposed Immediate Actions:**

**Move to suspend all existing equivalencies until they been reviewed and approved according to the policy being developed.**

**Move to direct Human Resources to remove the document containing the suspended equivalencies.**

The proposed immediate actions were recently delayed as a consequence of interest in continued discussion regarding an indirectly related matter - the language to be used regarding equivalency during the application process. At the last senate meeting, concern was expressed regarding the implementation of an explicit recognition of our willingness to consider applicants who believe they are equivalent - in addition to, or in lieu of, meeting a pre-determined equivalency. Our “equivalencies” vary in nature, some establish criteria to be used to determine of someone is equivalent and others include additional degree titles that would be deemed equivalent.

Presently, all applicants are provided with the ability to indicate an “equivalency”, even when it has been stated that there is “none”. As all of the state’s MQs indicate “or equivalent”, our practice of not incorporating this option into our hiring practices may be problematic for the reasons already noted.

In order to get a sense of the practices of other colleges, job flyers and applications from 3 representative colleges were examined. In addition, a query was posted to a senate list serv.

**Information from Job Flyers and Applications**

Mt. SAC

No predetermined equivalencies provided on the website. **A link is provided to the Disciplines List which specifies “or equivalent” as an element of every MQ.**

Equivalency reference in the application: 7. [Equivalency Determination Supplemental Form](https://www.mtsac.edu/hr/pdf/faculty_equivalency_form.pdf): All candidates not holding the stated minimum qualifications who are requesting consideration based on an equivalency, must complete this form to be considered. (This language appears to be standard for all faculty positions.)

Cerritos

“Disciplines with local standards”

<https://www.cerritos.edu/hr/_includes/docs/Forms/MinQualsLocalStandardsNov2018.pdf>

Examples:

English - Master’s degree or MFA or PhD. or ABD in English, literature, comparative literature, or composition; OR Bachelor’s in any of the above AND Master’s in linguistics or creative writing; OR the equivalent.

Psychology - Master’s or PhD in psychology OR the equivalent.

**All non-CTE Master’s List disciplines indicate “or the equivalent”.**

NOTE: Any discipline not included on this list follows the State Minimum Qualifications.

**All job postings indicate “or equivalent”.**

Reference in the application: Do you possess a Master's degree in sociology OR Bachelor's degree in sociology AND Master's degree in anthropology, any ethnic studies, social work, or psychology OR the equivalent? If you answered NO above but believe your degree/coursework completed may be equivalent, you should complete the Applicant Request for Equivalency form on the next page.

Santa Monica

All disciplines requiring a masters indicate “or equivalent”.

**Equivalency Statement** - The Santa Monica Community College District, in its desire to select outstanding faculty members from the largest possible pool of qualified applicants, recognizes the fact that candidates may attain expertise in a discipline through a variety of means.  Certain combinations of education, experience and other accomplishments in the field may be judged by the District as equal to the stated minimum qualifications for this position.  Candidates who feel they possess such equivalent qualifications are encouraged to apply and provide appropriate documentation of their qualifications.  For further details regarding equivalency criteria, please download the Equivalency Application Statement Form available at <https://jobs.smc.edu/applicants/static/customers/655/EquivalencyStatementPDF.pdf> [(Download PDF reader)](https://get.adobe.com/reader/)

**E-Mail and Responses**

The message sent out (slightly edited):

Subject Line: Nope, no equivalent. Is that an option?

RHC has a practice of pre-determining what is equivalent. A discipline can specify what is equivalent or they can just say "none". In discussing this with a colleague, he proposed that a college could forego the "or equivalent" as our obligation is to apply the MQs - we can choose to be more restrictive. I'm feeling some discomfort over a practice that is intentionally restrictive - solely in order to be restrictive. If a college has deemed that a certain degree in the MQs are not good preparation of teaching in the discipline, removing those degrees from the local MQs would be warranted - it is restriction with a reason. Let's call it a justified restriction.

In looking at 3 colleges - Mt. SAC, Cerritos, and SMC - it appears that they all have "or equivalent" for at least all non-CTE disciplines requiring a Masters. At one college, some disciplines are more restrictive with respect to what Masters they will consider - but they still take the equivalent.

***Is it standard practice at your college to indicate "or equivalent" at the end of the qualifications for a position (just as it appears in the Disciplines List) and then permit applicants to demonstrate how they are equivalent?***

I could make a number of arguments explaining why doing what your colleague is suggesting would be a very bad practice. But practical reasons aside, there is a very important political issue at stake.  There are a number of people at the state level who have argued that our MQs are too restrictive and that they inhibit hiring, specifically the hiring of non-traditional and underrepresented candidates.  People who attended the Building Diversity Workshops sponsored by the IEPI last year heard the lawyer on the panel make exactly this argument—that all of our MQs needed to be revisited to open them up for more candidates. Our response has been that the MQs are not truly too restrictive because we can always use equivalency to include a broader range of candidates.  If colleges start making it clear we are not willing to use equivalency, we are inviting outside forces to get involved and force a change to our MQ system.  If we want to keep MQs in the hands of the Academic Senate, which I assume we all do, then we really do not want to dismiss the idea of equivalency.

David W. Morse, PhD

Professor of English, Long Beach City College

At the RCCD we put the "or equivalent" at the end of the qualifications and then an equivalency committee evaluates the applicants petition to see if the equivalency is granted.  But as a matter of fact, this coming Monday we have this exact topic as an agenda item to discuss at our District Academic Senate meeting because Mark Sellick, the senate president from RCC has requested to discuss equivalencies because there have been some problems granting equivalencies from his college/senates' perspective.  I will find out Monday what those problems, or hiccups, as he mentioned in his email to me were.

Hope that makes sense and goes to your question, specifically.

Warm regards,

Peggy Campo  
Associate Professor, Anatomy and Physiology

Science and Kinesiology Department Co-chair  
Academic Senate President  
Norco College, Riverside Community College District

At CCSF, all our certificated job announcements include "or the equivalent" in the min quals.

--Fred

It is standard practice at Glendale Community College to have “or equivalent” as you describe: at the end of the qualifications for a position (just as it appears in the Disciplines List) and then permit applicants to demonstrate how they are equivalent.

Petitions by applicants to be granted equivalency are evaluated by the Senate Equivalency Committee at GCC.

Be well.

Piper

It seems to me that the practices you describe below are not in line with the intent of the discipline list. I don’t think it should be an option unless the field agrees to it. I would suspect this would be an equity issue, and one that opens up the college to a discrimination lawsuit.

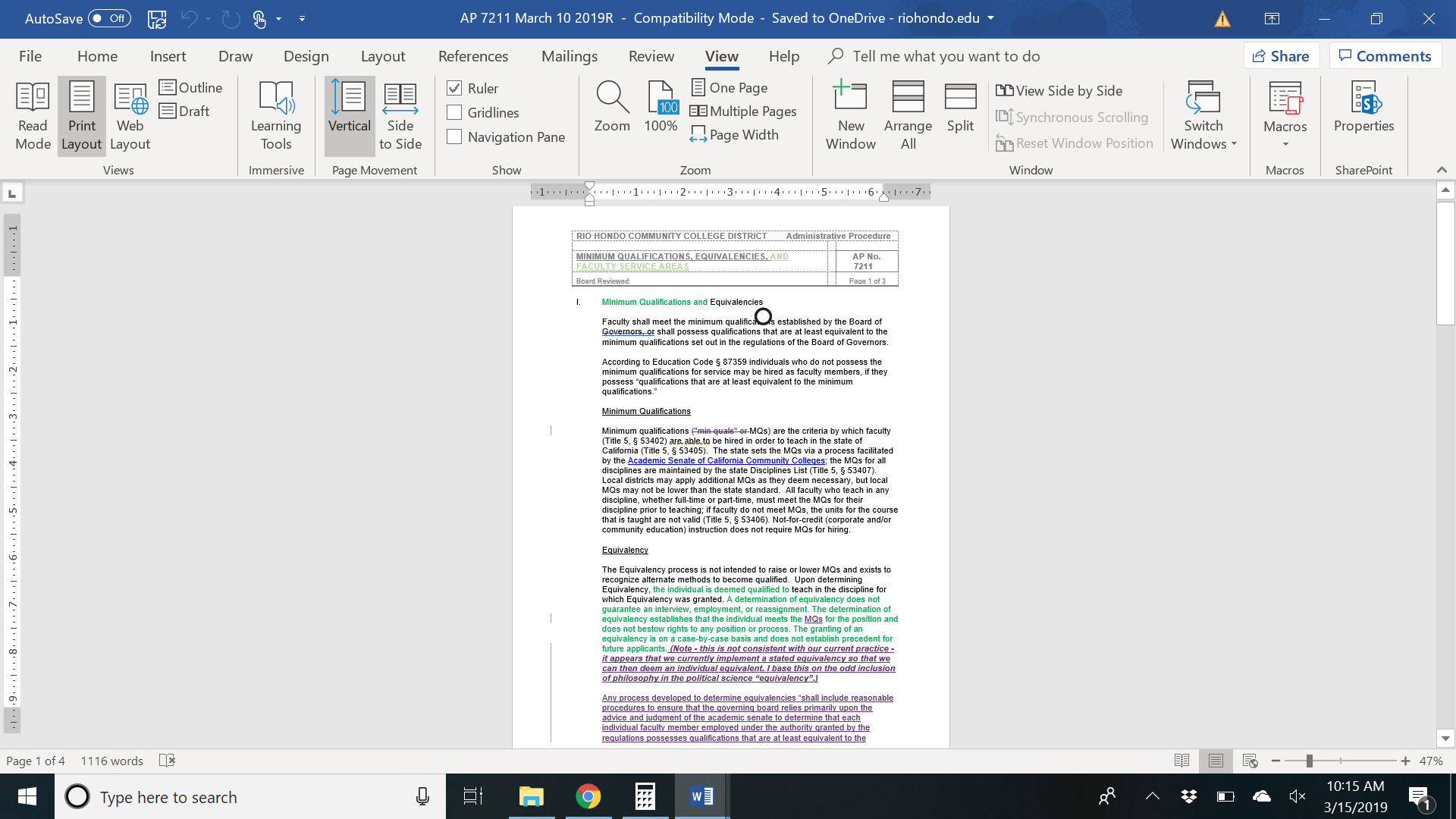
-Katrina

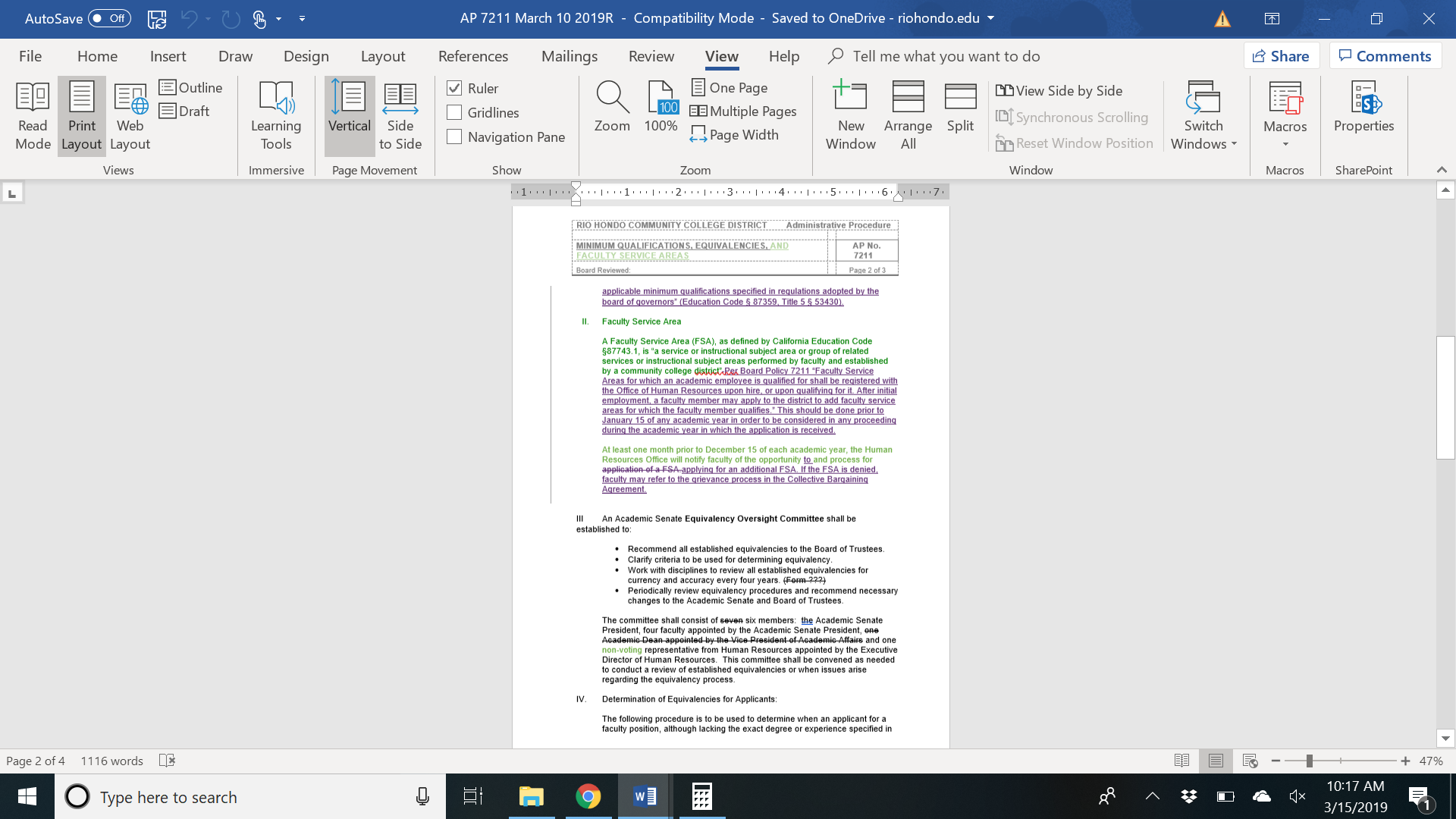
*Katrina Keating, M.A., Ed.D.*

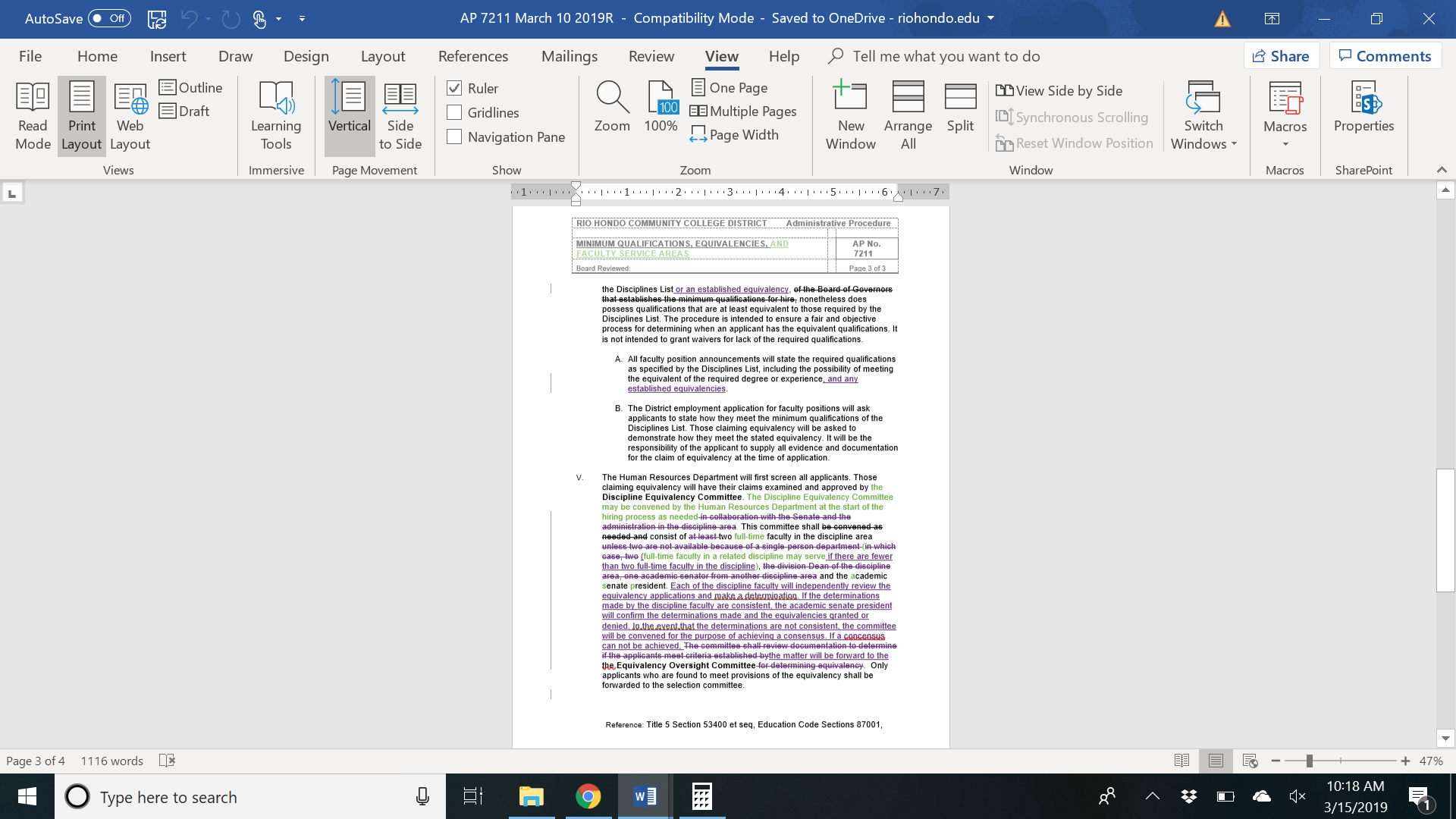
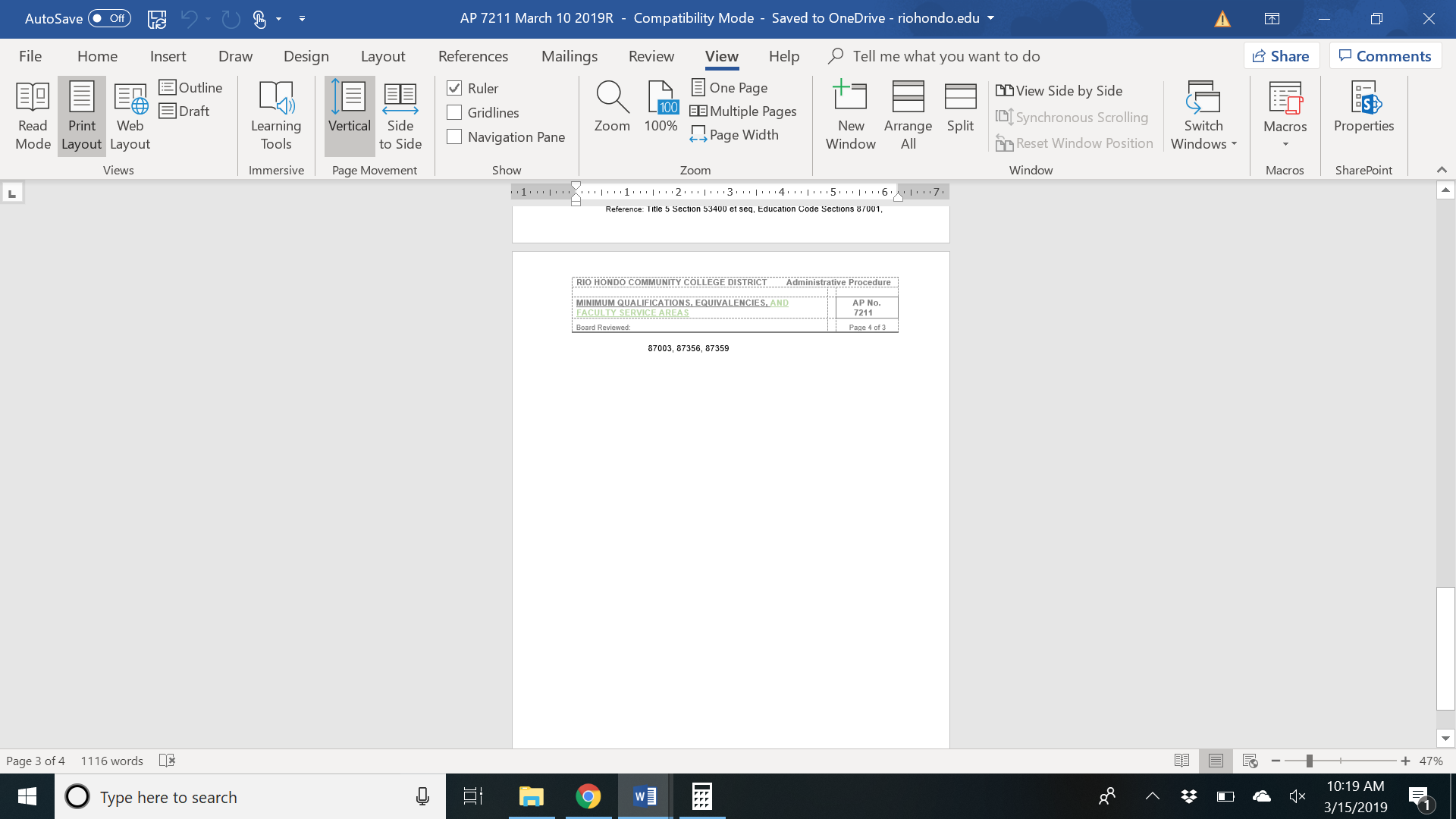
Mathematics Professor

Diablo Valley College

**Addendum B: Proposed New AP for Equivalency Process**

Background Info: RHC currently has a BP 7211 with no accompanying AP. Title 5 and Ed Code require all community colleges to have an equivalency process. The process at RHC has been based on past practice with nothing currently codified. Senate agreed to the creation of an Equivalency Taskforce and sought volunteers in fall 2018. The Equivalency Taskforce worked to build the proposed AP started with HR and senate years ago (the black font in document below). The additions consented by the Taskforce are written in green and suggestions from Senate Executive members are noted in purple.



**Addendum C: Online Education Committee Report**

Online Education

Senate and PFC report

March 2019

Submitted by Dr. Jodi Senk

- A Motion was made to change the name of the Online Education Committee (OEC) to the Distance Education Committee (DEC). This follows suit with other colleges, our contracts and documents which refer to DE (not OE) as well as using the title of Distance Education Coordinator (DECO is the state designated term). It was approved by the committee with one abstention.

- A CTE Pathways grant was submitted for up to $500,000 for online ed and CTE development of full online programs. A motion was made and it was voted that the Dean, incoming coordinator, and two instructional assistants attend the upcoming information session in NorCal. There will be a need for increasing resources to meet the goals of the grant.

- Jill Pfieffer was elected as new Coordinator for 2019-21