Policy 3.26 Faculty Hiring Policy for Tenure Track and Categorically/Specially-Funded Positions

SECTION 1: PHILOSOPHY

1.1 It shall be the policy of the Peralta Community College District that a faculty hiring process be established to provide for highly qualified college faculty who are expert in their subject areas, who are skilled in teaching and serving the needs of a varied student population, who can enhance overall college effectiveness, and who are sensitive to, and representative of, the ethnic and cultural diversity of the District community.

1.2 The Board of Trustees of the Peralta Community College District derives its authority from statute and from its status as the elected community entity holding the institution in trust for the benefit of the public. As a result, the governing board has the principal legal and public responsibility, for ensuring an equitable hiring process.

1.3 Faculty members derive their authority from the laws of the State of California, from their expertise as teachers and subject matter specialists and from their status as professionals. As a result, the faculty, represented by the Academic Senate, has the professional responsibility to insure the quality of their faculty peers and to participate in the development and implementation of policies and procedures governing the hiring process.

1.4 The District Academic Senate has the legal responsibility and authority to develop jointly with the governing board the hiring criteria and policies for new faculty as set forth in this agreement between the District Academic Senate and the Board of Trustees.

SECTION 2: CONFIDENTIALITY

2.1 Application materials, as well as all screening, hiring and equivalency deliberations and documents shall remain confidential.

SECTION 3: SEARCH

3.1 Approval of open positions and initiation of the hiring process shall be early enough in the academic year to allow for all procedures to be undertaken in a thorough and thoughtful manner.

3.2 The length of the advertising period shall be long enough to ensure a pool of well qualified applicants, and one that furthers the College's and District's affirmative action goals.

3.1 The search and selection process for contract or regular appointments to fill vacant faculty positions shall take place during the regular academic year, whenever possible. If circumstances exist, based on business necessity, by which the normal recruitment and selection process cannot be followed to fill a faculty position, the

College President shall consult with the college Academic Senate President, as appropriate, to establish an emergency procedure.

SECTION 4: EQUIVALENCY

4.1 The District Academic Senate (DAS) is responsible for making the final determination of any applicant claiming equivalent minimum qualifications.

SECTION 5: REVIEW AND REVISION

5.1 This policy is subject to review and revision at the request of the District Academic Senate or the Board of Trustees leading to a new joint agreement.

Source of Law:
Education Code Sections 87357, 87359,87360 and 87400
Title 5 Sections 53021, 53022, 53023 and 53024

Approved by Board of Trustees: May 27, 1997
Revised/Approved: October 10, 2000

no Bd policy comm. Classif. Staff
Betts, D. 7257
peralta.cc.ca.us/legal/toc.html

Procedure 3.26 FACULTY HIRING INCLUDING DETERMINATION OF EQUIVALENCY

SECTION 1: PHILOSOPHY

1.1 The faculty, represented by the Academic Senate, has the professional responsibility to insure the quality of their faculty peers and to participate in the development and implementation of and procedures governing the hiring process.

1.2 Hiring procedures provide for a collegial hiring process wherein responsibility for selecting faculty from a pool of qualified applicants is shared cooperatively by faculty and administration, participating effectively in all phases of the hiring process.

SECTION 2: AFFIRMATIVE ACTION

"All participants in the process are given appropriate training in affirmative action procedures and the affirmative action goals and timetables of the community college so that success in reaching those goals is better assured."[1] At each level, nominating entities and selection committee members have the responsibility to ensure that all "individuals who are included on any selection committee or similar group are knowledgeable about and responsible to the Peralta Community College District's affirmative action goals and outlines."[2]

The Affirmative Action Officer shall serve as a consultant on District and State guidelines and be responsible for monitoring the District's affirmative action procedures, including, but not limited to, a review of the job descriptions and announcements, composition and procedures of selection committees, and the adequacy of the pool of applicants.

SECTION 3: POSITION IDENTIFICATION AND APPROVAL

The need for contract faculty positions shall be cooperatively determined through a well defined, thoughtful planning process involving the College President, the college Academic Senate President, and the local college PFT representative. This planning process shall involve the Dean of Instruction or designee, and the line administrator, as well as the faculty in disciplines concerned. A joint recommendation on the positions to be filled shall be presented by the College President to the District Chancellor. Subject area needs shall have been reviewed to determine strengths, weaknesses and special skills needed.

As positions become available, consideration shall first be given to extending partial contracts of qualified current faculty in the discipline. "Qualified" includes positive evaluations. These faculty members, who have already gone through a hiring process, shall not be required to re-apply or go through the regular hiring process.

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[1] AB 1725, Section 4(1)(6).
[2] AB 1725, Section 4 (t)(7).

SECTION 4: POSITION DESCRIPTION AND ANNOUNCEMENT

4.1 `Position descriptions and announcements shall be jointly prepared and reviewed by the Assistant Dean and the faculty of the hiring discipline, and shall include job related skills requirements, minimum qualifications and desirable qualifications. As used in this context, faculty in the discipline means tenured faculty in the discipline of the college where the vacancy exists. All positions filled after July 1, 1990 must comply with Education Code Section 87357. The Assistant Dean is responsible for forwarding the position description and announcements to the Dean, the President,
and the Affirmative Action Officer.

4.2 In a college where the discipline expertise exists in part-time or non-tenure track staff, these staff can be used as part of the review process.

4.3 If there is insufficient discipline expertise in the tenured or non-tenured faculty in the college where the vacancy exists, faculty with expertise in other colleges inside or outside of the District may participate in the process.

4.4 The position announcement requires the approval of the College President and the Affirmative Action Officer. The District Personnel Office will review and disseminate the position announcement. The announcement shall be distributed to faculty using existing District vehicles in time for faculty to apply for the position.

4.5 Positions shall be advertised widely to ensure a pool of highly qualified applicants and to further the College and District affirmative action goals.

SECTION 5: SEARCH

5.1 Approval of open positions and initiation of the hiring process shall be early enough in the academic year to allow for all procedures to be undertaken in a thorough and thoughtful manner. If the process cannot start early enough in the year to be completed by the end of the spring term, the position shall be filled by a temporary[3] faculty member for the next academic term.

5.2 The length of the advertising period shall be long enough to ensure a pool of well qualified applicants, and one that furthers the College's and District's affirmative action goals. **In** general, a position shall be advertised from four to six weeks before the screening process begins.

5.3 The search and selection process for contract or regular appointments to fill vacant faculty positions shall take place during the regular academic year, whenever possible. If circumstances exist, based on business necessity, by which the normal recruitment and

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[3] The term 'temporary"' faculty member includes the categories of temporary/pan-time faculty, substitutes and long-term substitutes (L TS).

selection process cannot be followed to fill a faculty position, the College President shall consult with the college Academic Senate President, as appropriate, to establish an emergency procedure. The process shall include a petition from the college faculty of the discipline to the college Academic Senate
President stating that faculty of the discipline are available to participate in the recruitment and selection process after the close of the regular academic year.

SECTION 6: SELECTION COMMITTEE COMPOSITION

6.1 The Selection Committee composition shall be as follows:

At least three (3) full-time regular faculty (i.e., tenure, tenure track and non-tenure track faculty) members (of the discipline or related discipline) appointed by the college Academic Senate President, in consultation with the faculty of the discipline, one of which shall be the department chair, if one exists; and one administrator (usually the area administrator) appointed by the College President.

a. The composition of the committee shall be reviewed by the College President and the Affirmative Action Officer.

b. Additional faculty members may be appointed by the Academic Senate President in order to achieve a selection committee balanced by gender and ethnicity.

c. If there is insufficient discipline expertise in the faculty in the college where the vacancy exists, faculty with expertise in other colleges inside or outside the District may be members of the Committee as well as retired Peralta faculty in the discipline within three years of their retirement.

d. In a college where the discipline expertise is in the part-time or non-tenure track staff, these staff can be used as part of the review process providing that the majority of faculty members on the Committee are full-time.

e. The committee may also include a classified staff member (such as a Lab Assistant) from the discipline, or a closely related discipline, appointed by the Academic Senate President in consultation with the Classified Senate and/or Union.

6.2 The administrative member serving on the committee shall convene the initial meeting of the selection committee. Whenever possible, the selection committee shall elect a faculty chair from this committee, who shall be from the discipline, or a related discipline.

SECTION 7: EQUIVALENCY COMMITTEE COMPOSITION

7.1 A District Equivalency Committee shall be convened by the District Academic Senate (DAS) President for review and final determination of any applicant claiming equivalent minimum qualifications.

7.2 The District Equivalency Committee composition shall be as follows:

a. The DAS President shall appoint, in consultation with the faculty of the discipline, at least three contract/tenured faculty members in the discipline from different colleges, if possible.

b. If the hiring discipline does not exist at three or more campuses, more than one faculty member may be appointed from a single campus or a faculty member may be appointed from a related discipline. The District Equivalency Committee shall include members from at least two campuses. If the hiring discipline exists at only one campus, committee members may be from outside of the District.

7.2 The Equivalency Committee shall make all determinations on equivalency, except as in Procedures Section 9.1 (i) under "Equivalency," which specifies that the DAS Educational Policy Committee shall monitor the equivalency process.

SECTION 8: DISTRICT PERSONNEL OFFICE

8.1 The faculty (Academic) Employment Application Form shall include the Section 9.2 of this document on equivalencies and the Equivalency Application Form. Applicants who do not appear to *meet* minimum qualifications, but believe they possess the equivalency, shall be required to justify their reasons in writing on the Equivalency Application Form. When submitted, the Equivalency Application Form shall be attached to the Academic Employment Application Form. Official transcripts and other supporting documentation shall be presented at this time.

8.2 The District Personnel Office shall receive applications and initially screen for minimum qualifications. Only completed applications shall be categorized as:

a. Minimum qualifications met; or,

b. Minimum qualifications not met; or,

c. Applicants *claiming* equivalency as identified by a completed Equivalency Application Form submitted *with* the Academic Employment Application Form.

If among these *candidates* some are requesting equivalency to the *minimum* qualifications, then those candidates must be presented to a separate District Equivalency Committee appointed by the District Academic Senate President before the Selection *Committee* conducts *its* paper screening. The District Equivalency Committee shall review these applications at the District Office to protect the confidentiality of the applications.

8.3 Personnel shall forward to the Selection Committee Chair these categories a, b those in c approved by the Equivalency Committee. After verifying the initial screening performed by the District Personnel Office, the Selection Committee shall conduct an in-depth paper screening of candidates in categories a and c *in* order to select candidates the committee wishes to interview.

8.4 Applications of candidates approved or denied equivalency will be filed in the Personnel Office. Those candidates who are granted an equivalency but are not chosen for the open position, may reapply for a full-time or part-time position in that discipline without undergoing an additional equivalency evaluation.

8.5 Official transcripts of coursework shall be required as part of the application process.

8.6 All candidates for positions in the Peralta Community College District shall be notified in a timely manner regarding disposition of their *application* by the Personnel Office.

SECTION 9: EQUIVALENCY

9.1 Equivalency Process

a. Equivalency is the process whereby an applicant applies for a faculty position in a discipline and lacks the exact degree or experience specified as minimum qualifications in the Board of Governors (BOG) Discipline List, but possesses qualifications that are at least equivalent

b. The equivalency process is neither intended to raise standards nor lower them from the minimum qualifications. It is not a process to waive the minimum qualifications.

c. The expectation is that candidates will rarely meet the minimum requirements through the equivalency process.

d. It shall be the responsibility of the candidate who claims equivalency to provide conclusive evidence, as clear and reliable as the official college transcripts being submitted by all candidates. that s/he has qualifications that are at least equivalent to what is required by the minimum qualifications.

e. The Equivalency Committee evaluates the applicant's academic qualifications and pertinent experience and shall make all determinations on equivalency to minimum qualifications. Subject to the oversight review of the DAS Educational Policy Committee, denial by the Equivalency Committee is final and cannot be re-opened

for the announced position. If an additional position in the same discipline is subsequently announced, the applicant may request a new equivalency determination only if additional evidence is submitted for consideration.

f. In the case of a request for "Eminence" in the discipline, (in partial fulfillment of equivalency) the request will follow the same procedure as any other equivalency application, but some of the coursework may be considered satisfied as described in Sections 9.2.1 c and 9.2.2.1 c below.

g. Each member of the Equivalency Committee shall make an independent assessment of the dossier of materials submitted by the candidate. The committee members are then to *meet* and confer. In its deliberations, the committee shall record the rationale for its decisions in writing which will be attached to the Equivalency Application Form before forwarding to the Educational Policy Committee. Decisions of the Equivalency Committee and the Educational Policy Committee shall be by majority vote.

h. All claims for equivalency that have been evaluated by the Equivalency Committee shall be forwarded to the DAS Educational Policy Committee for review.

I. The DAS Educational Policy Committee is charged to monitor the equivalency policy and procedures and to ensure that all criteria have been met.

1. If the Educational Policy Committee concurs with the Equivalency Committee's favorable evaluation, the action is final.

2. If the Educational Policy Committee does not concur because of possible irregular procedures, incomplete evidence or failure to adhere to all criteria, the claim shall be referred back to the Equivalency Committee for re-evaluation. Approval or denial of the equivalency is based on the professional judgment of the committees. After re--evaluation, approval of both the Equivalency Committee and the Educational Policy Committee is required to establish equivalency to the minimum qualifications for the Peralta Colleges.

J. The Educational Policy Committee shall forward the evaluated Equivalency Application Forms to the Personnel Department. Personnel will send the approved claims to the Selection Committee and will file both approved and denied claims for future reference.

9.2 Equivalency Criteria

Only formal education shall be considered the equivalent for degree requirements, including general education and the major required for the degree, except in special cases.

a. Eminence: In special cases, where the applicant is nationally known to be prominent in the discipline, his or her experience, work, independent education, or academic/artistic/vocational products may be considered in partial fulfillment of the equivalency to the required degree. The specific requirements for equivalence of minimum qualifications in a Master's degree discipline are spelled out in section 9.2.1, and for a non-Master's degree discipline in section 9.2.2 below. Thus, eminence may only be used to establish equivalency to some of the coursework for the required degree in the discipline.

b For the equivalent of required experience for the Non-Master's degree disciplines, alternative ways of achieving mastery of the skills of the vocation and knowledge of the working environment of the vocation may be considered. To meet the general education requirement for the non-Master's area, the Associate Degree in the discipline or related discipline is a minimum requirement. Eminence may only be used to establish equivalency to some of the coursework for the Bachelor's Degree.

9.2.1 MASTER DEGREE DISCIPLINE:[4]

To establish the equivalent of the minimum qualifications for the Master's degree discipline, conclusive evidence is required which indicates formal education is at least equivalent in general education breadth and level of academic achievement in coursework and other requirements in the major required for the degree.

The candidate making the claim of equivalent minimum qualifications must fulfill a <u>and</u> b OR a and c as follows:

a. Bachelor's degree in any discipline (which satisfies the General Education breadth requirements);

b. Special course requirements and academic achievement (e.g., Master's thesis or exam) in the major/discipline for both the Bachelor's and Master's degrees in the discipline include the following:

1. If an applicant holds a Master's degree in a related discipline as defined in the BOG list, then the Bachelor's degree, or its equivalent coursework, is required in the discipline. The coursework must have been completed at an accredited institution and consist of no less than 30 semester units of upper division

[4] See minimum qualifications in Faculty Service Areas document.

coursework in the discipline.

2. If an applicant holds neither a Master's degree in the related discipline nor a Master's degree in the discipline, then the equivalent coursework to the Master's degree in the discipline must have been completed in an accredited institution. It must consist of no less than 30 semester units of upper division coursework in the discipline for the Bachelor's degree and no less than 24 graduate level semester units of coursework in the discipline for the Master's degree.

c. Eminence in the discipline, as partial fulfillment of the coursework required in b above, but no more than 15 of the 30 upper division units and no more than 12 of the 24 graduate units, may be granted.

Evidence of eminence for determining partial fulfillment of equivalency may be based on scholarly research, publications, or performance in the discipline. Appropriate licensure from professional state or national boards (e.g., CPA, BRN) may also be deemed partial evidence of equivalency.

Under this provision, eminence is determined by the Equivalency Committee in accordance with the regular equivalency procedures above, subject to review of the Educational Policy Committee, as with any other equivalency application.

9.2.2 NON-MASTER DEGREE DISCIPLINES[5]

The minimum qualifications shall be an AA/AS degree from an accredited institution plus six (6) years of documented experience in the subject matter area or a BNBS degree plus four (4) years of documented experience in the subject matter area or a fully satisfied lifetime California Community College Instructor Credential authorizing service to teach in the subject matter area.

9.2.2.1 BACHELOR DEGREE PLUS FOUR YEARS OF EXPERIENCE

To establish the equivalent of the Bachelor's degree, conclusive evidence is required which indicates formal education is at least equivalent in general education breadth and level of achievement to coursework in the major required for the degree. To establish occupational proficiency, the required four (4) years of full-time experience must also be documented.

The candidate making the claim of equivalent minimum qualifications must fulfill a and b PLUS c below OR a PLUS c and d as follows:

a. Bachelor's degree in any discipline (which satisfies the General Educational breadth requirements);

AND

[5] See minimum qualifications in Faculty Service Areas Document

b. Specific course requirements in the discipline.

The coursework must have been completed at an accredited institution, and must meet the requirements of a professional organization that sets the standard or certification in the field, including no less than 30 semester units of upper division coursework in the discipline for the Bachelor's degree.

PLUS

c. Occupational proficiency: Evidence of occupational proficiency shall be based upon (1) at least two years of full-time documented work experience, preferably recent, calculated either consecutively or cumulatively, which is directly related to the occupation to be taught or, upon evidence of equivalent proficiency; (2) the equivalent of an additional two years of documented experience that demonstrates possession of broad skill and thorough knowledge for each of the following:

a) mastery of the skills of the vocation, thorough enough for the proposed specific assignment and broad enough to serve as a basis for teaching other courses in the discipline;

b) plus extensive and diverse knowledge of the working environment of the vocation.

OR

a. Bachelor's degree in any discipline (which satisfies the General educational breadth requirements);

PLUS

c. Occupational proficiency: Evidence of occupational proficiency shall be based upon (1) at least two years of full-time documented work experience, preferably recent, calculated either consecutively or cumulatively, which is directly related to the occupation to be taught or, upon evidence of equivalent proficiency; (2) the equivalent of an additional two years of documented experience that demonstrates possession of broad skill and thorough knowledge for each of the following:

a) mastery of the skills of the vocation, thorough enough for the proposed specific assignment and broad enough to serve as a basis for teaching other courses in the discipline;

b) plus extensive and diverse knowledge of the working environment of the vocation.

AND

d. Eminence in the discipline may be granted as partial fulfillment of the required coursework or number of years of work experience. However, no more than 15 upper division units in the discipline and no more than two years of work experience may be granted.

9.2.2.2 ASSOCIATE DEGREE PLUS SIX YEARS OF EXPERIENCE

To establish the equivalent of the Associate degree in the hiring discipline, conclusive evidence is required which indicates formal education is at least equivalent in General Education breadth and level of achievement in coursework in the major required for this degree. To establish occupational proficiency, the required six years of full-time work experience must also be documented. An Associate degree in some field is required for hiring.

The candidate making the claim of equivalent minimum qualifications must fulfill a and b PLUS c OR a PLUS c and d as follows:

a. Associate degree in any discipline (which satisfies the General Education breadth requirements and is at least equivalent to the requirements of a current AA/AS degree in the Peralta District);

AND

b. Additional requirements necessary to obtain a certificate or its equivalent in the discipline. This equivalency can be fulfilled by a combination of college semester units and/or industry educational training courses in the discipline or a related discipline, equivalent to 24 semester units of lower division coursework (each unit of credit is equal to 54 hours of in-house industry training courses) as determined by the Equivalency Committee.

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9.3 ACCEPTABLE EVIDENCE FOR EQUIVALENCY

Acceptable evidence for general education, discipline or experience requirements shall be as follows:

a. An official transcript showing that appropriate courses were successfully completed at an accredited college or appropriate foreign institute.

b. Publications that show a command of the discipline in question.

c. A skills demonstration or verifiable evidence of professional performance, professional and/or public recognition, professional presentations, computer software development or applications, or related training. (Also, see Evidence of Eminence 9.2.1c. above.)

d. Verification of employment history.

e. College or university degrees and credits submitted for employment, or advancement must be from United States institutions accredited by one of the six regional accrediting agencies recognized by the Council on Postsecondary Accreditation and the United States Secretary of Education.

f. All degrees and credits not covered by the six regional accrediting agencies recognized by the Council on Postsecondary Accreditation and the United States Secretary of Education, including all foreign degrees and credits, are subject to verification through the equivalency process. The candidate bears the responsibility of documenting equivalency to accredited United States institutions.

g. Degrees that are not accredited by one of the six regional accrediting agencies recognized by the Council on Postsecondary Accreditation and the United States Secretary of Education may not be listed in the college catalogs.

SECTION 10: SELECTION COMMITTEE

10.1 The Selection Committee shall review all completed Academic Employment Application Forms including those approved for equivalency and shall select those applicants to be interviewed who best meet the minimum and desired qualifications listed on the position description and announcement.

10.2 The candidates will be evaluated with respect to but not limited to the following criteria:

a. Subject area knowledge and competency;

b. Educational background/history;

c. Teaching or service experience;

d. Commitment to professional growth and service;

e. Potential for overall professional effectiveness;

f. Sensitivity to and understanding of the diverse academic socioeconomic, cultural, disability and ethnic background of the students, as well as the special needs of the disabled; and,

g. Teaching or skill demonstrations; written and oral communication skills

10.3 The Selection Committee shall: (a) formulate uniform interview questions and appropriate answers; (b) establish a standardized question and follow-up procedure; and (c) conduct interviews and evaluate responses. Individual committee members are to be present for each interview in order to participate in the evaluation of candidates, except for rare and compelling circumstances. NOTE: Strict confidentiality of interview questions must be observed. Accordingly, interview questions must not be released to candidates prior to the interview.

10.4 The chair shall lead the committee discussion regarding strengths and weaknesses of the candidates to arrive at its selection or its recommendation. The committee may include written comments for each candidate as a further means of communicating its recommendation. The Selection Committee may wish to schedule second-stage interviews for those that are considered best qualified.

a. The Selection Committee as a whole shall rank the finalists in order of preference. The chair shall prepare a summary of the committee's evaluations of the final candidates.

b. Applicants shall be responsible for submitting all required documentation (including transcripts). The Personnel Department shall verify the degrees (at the granting institution), credentials, and experience of the top candidates and shall then notify the Selection Committee Chair that this verification is completed.

c. The Selection Committee Chair shall reconvene the Selection Committee to report the completion of the verification and reference checks and move forward the recommendation of the finalists.

10.5 The Selection Committee shall recommend from 0-3 finalists to the College President in ranked order.

SECTION 11: SELECTION OF THE FINAL CANDIDATE

a. The appropriate Dean (Dean of Instruction or Student Services), the Selection Committee Chair and the college President shall review the Selection Committee's recommendations, interview the finalists and conduct additional reference checks. The College Academic Senate President is expected to join in these interviews.

b. The College President may:
   (1) make a recommendation from those candidates forwarded by the Selection Committee;
   (2) request additional candidates to be recommended by the Selection Committee; or,
   (3) reopen the process.

   If the Selection Committee cannot recommend any applicant, or if the President cannot choose any of those recommended, the hiring process shall be reopened.

c. The College President, in consultation with the Selection Committee Chair, shall recommend the finalist to the Chancellor for final approval.

SECTION 12: NOTIFICATION OF CANDIDATES

12.1 All candidates for positions in the Peralta Community College District shall be notified in a timely manner regarding disposition of their applications by the Personnel Office.

12.2 After the Chancellor's approval, the College President shall notify the successful candidate and send the formal written notification of the employment offer. Non-selected finalists shall not be notified until after an appointment has been approved by the Chancellor and accepted by the candidate.

SECTION 13: REVIEW AND REVISION

The procedures implementing Board Policy 3.26 are subject to review and revision at the request of the' District Academic Senate or District Administration leading to a new joint agreement.

Source of Law:
Education Code Sections 87357, 87359,87360 and 87400
Title 5 Sections 53021, 53022, 53023 and 53024

Developed by Administration: May 27, 1997
Revised/Approved: October 10, 2000