Call to Order
Public Commentary

**Action Items**
1. Minutes of November 21, 2018 Meeting *pg. 2*
2. OER Liaison *pg. 4*
3. Succession Planning *pg. 6*
4. Administrative Retreat Rights Policy *pg. 7*
5. Nomination for Emeritus Status *pg. 17*
6. Criteria for Faculty Position Requests *pg. 22*
7. Minimum Qualifications, Equivalency, & Assigning Courses to Disciplines *pg. 68*

**Information/Discussion Items**
8. ASCCC Faculty Diversity Hiring Regional: BC, Feb. 21 *pg. 107*
9. Proposed Title 5 Regulations for AB 705 *pg. 108*

**Open Forum for Announcements**

Adjournment

*Next meeting of the Academic Senate-of-the-whole is Monday, February 4, at 12:00pm in the Cougar Room. Next meeting of the Academic Senate Council is Wednesday, February 20, at 12:00pm in the Cafeteria Conference Room.*
Taft College Academic Senate Council Minutes  
Wednesday, November 21, 2018  
Cafeteria Conference Room

**Members Present:** President Geoffrey Dyer, Vice President Vicki Jacobi, Mike Jiles, Tony Thompson, Kanoe Bandy, Kelly Kulzer-Reyes, Greg Golling, Tori Furman, Juana Escobedo,

**Guests:** Antonio Alfaro

The meeting was called to order at 12:00 p.m.

**Public Commentary**
- None

**Action Items**

**Approval of Minutes of October 17, 2018 meeting**
- No changes, minutes adopted by unanimous consent.

**Student Learning Outcomes Assessment Steering Committee Charter**
- Vicki Jacobi presented the minor corrections to the charter made for consistency of language. Headings were also added for accessibility.
- The Student Learning outcomes Assessment Steering Committee Charter moves forward to Senate of the Whole by unanimous consent.

**Distance Education Committee Charter**
- Membership changes to the charter include making the Director of Distance Education a non-voting member, adding a faculty co-chair, remove the limit of number of faculty representatives, changing advisor to counselor, defining quorum as simple majority, and using Robert’s Rules of Order.
- The Distance Education Committee Charter moves forward to Senate of the Whole by unanimous consent.

**Business Faculty Replacement**
- Kanoe Bandy is looking for the Senate’s support for replacement of Adam Bledsoe. The need is in Business, Economics, and Management. She also shared a concern for adjunct availability until the position is replaced.
- There is been growth in this area in part due to the services to incarcerated students.
- Geoffrey Dyer referred to past practice of recommending faculty replacement positions.
- On a motion by Tony Thompson, seconded by Greg Golling, the Business faculty replacement was approved to move forward to Senate-of-the-Whole.

**California Academic Partnership Program Grant**
- The CAPP Implementation Grant is due in January.
- Committee members include: Vicki Jacobi, Juana Rangel-Escobedo, Lori Sundgren, and Tammy Sutherland.
Ideas for activities have been discussed such as a summer data summit with faculty from both TC and TUHS, on-boarding of disproportionately impacted students, use of Success Navigator, and parent orientations.

Vicki Jacobi will provide an update during the January in-service meeting.

On a motion by Kanoe Bandy, seconded by Mike Jiles, the California Academic Partnership Program Implementation Grant was approved to move forward to Senate of the Whole.

AB 705: Placement, High School GPA, and High School Coursework

Consider the impaction prerequisites may impact other disciplines.

Fall 2018 ASCCC Resolutions 8.01: Using Multiple Measures in addition to High School Grade Point Average for Student Assessment and Placement Practices and Resolution 18.01: Guided Self-Placement were reviewed.

Taft College already has a Guided Self-Placement webpage that is live to the public/students.

It is important to have conversations with discipline faculty and counselors and may be most appropriate for Academic Development Committee and/or Student Success Committee and/or Access Committee to work on Guided Self-Placement.

Lori Sundgren will put Guided Self-Placement on the Academic Development Committee agenda as the work is consistent with the committee’s charter.

Geoffrey Dyer will put the Guided Self-Placement website update on the agenda as an informational item for next Senate-of-the-Whole.

Assigning Courses to Disciplines

Vicki Jacobi suggests that course assignments to disciplines be made during the curriculum process at the Curriculum meeting.

Information/Discussion Items

ASCCC Visit: January 17, 1-3pm

Faculty Position Request Ranking: January In-Service Senate-of-the-Whole meeting

Other/Open Forum for Announcements

The FON report indicates 58.7 full-time faculty and currently there are 60 full-time faculty.

The meeting adjourned at 1:05 p.m.

Recorded notes provided by Juana Rangel-Escobedo
Submitted by Candace Duron, Secretary
Open Educational Resources (OER) Liaisons

At the Academic Senate for California Community Colleges (ASCCC) Fall 2018 Plenary Session, a resolution (17.02) was adopted that called on the ASCCC to “…urge local academic senates to identify a local OER point-person to act as a liaison to facilitate OER-related communication between the college and the Academic Senate for California Community Colleges." The introduction and identification of local OER Liaisons is intended to be an integral component of the ASCCC OER Initiative (OERI) that will formally launch in spring 2019. As explained in the ASCCC proposal that secured five years of funding for the OERI, the goal is to support local college OER efforts by creating a network of OER Liaisons that serve to connect local colleges to the OERI and centrally-hosted OER-related support systems, ensuring an effective means of communication between the OERI, available resources, and the system's 114 colleges.

While some colleges may opt to merely identify a local OER contact, it is hoped that most will choose to identify a senate-appointed faculty member who will serve as the OER Liaison. It is the OERI's goal to support OER Liaisons so that they may serve as advocates by taking an active role in increasing local OER awareness, adoption, and support. An OER Liaison will be eligible for a yearly stipend of $1,000. As the OERI will be launched in the second half of the current academic year (2018-2019), OER Liaisons who complete the specified activities will receive $500 at the completion of the spring term. In subsequent years of the Initiative, OER liaisons will be eligible to receive the entire stipend.

OER Liaison Expectations – Spring 2019

2. Forward ASCCC OERI messages to appropriate faculty.
3. Attend an OER Liaison Orientation. Orientations will be delivered via the Zoom videoconferencing system. Liaison availability will inform the scheduling of Orientations and attending an archived session will be an option.
4. In addition to the Orientation, attend three additional OERI meetings during the spring term. These meetings may be selected from the monthly OER Liaison meetings (TBD) and the weekly OER webinars (Fridays at 9:30, beginning 2/1/19).
5. Communicate with the local senate and campus faculty regarding ASCCC’s OER ongoing efforts.
6. Meet at least twice (via phone or Zoom) with an OERI representative to share local needs and issues.
Establish Local Open Educational Resources Liaisons

Fall 2018
Resolution Number: 17.02

Whereas, The ASCCC will be initiating a five-year open educational resources (OER) initiative in spring 2019 that will provide OER-related support and resources to the colleges and gather data from the colleges related to OER use and challenges;

Whereas, Research has shown that access to and use of textbooks and ancillary materials are correlated with successful course completion by students, and students postpone or fail to purchase textbooks due to escalating textbook prices and other educational costs, which could impact their success and course completion;

Whereas, Various college-level OER funding opportunities have required the establishment of a local point-person to coordinate such efforts, and the Academic Senate for California Community Colleges has urged local senates to be involved in the process for appointing individuals to such positions (Resolution 19.10 S16); and

Whereas, The OER initiative plan developed by the ASCCC proposes to further OER use by providing centralized support for local OER efforts, and that support must be informed by local needs and effectively disseminated at the colleges;

Resolved, That the ASCCC urge local academic senates to identify a local OER point-person to act as a liaison to facilitate OER-related communication between the college and the Academic Senate for California Community Colleges.
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BP 7250  Educational Administrators

Reference:

*Education Code Sections 72411 et seq., 87002(b), and 87457-87460; Government Code Section 3540.1(g) and (m)*

An administrator is a person employed by the Board in a supervisory or management position as defined in Government Code Sections 3540, et seq.

Educational administrators are those who exercise direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services programs of the District.

An educational administrator who has not previously acquired tenure as a faculty member in the District shall have the right to become a first year probationary faculty member once his or her administrative assignment expires or is terminated, if the following criteria are met:

1. The administrator meets the criteria established by the District for minimum qualifications for a faculty position, in accordance with procedures developing jointly by the Superintendent/President and the Academic Senate and approved by the Board. The Board shall rely primarily on the advice and judgment of the Academic Senate to determine that an administrator possesses minimum qualifications for employment as a faculty member.

2. The requirements of Education Code Section 87458(c) and (d), or any successor statute, are met with respect to prior satisfactory service and reason for termination of the administrative assignment.

3. The District has a vacancy for which the administrator meets minimum qualifications.

Educational administrators shall be compensated in the manner provided for by the appointment or contract of employment. Compensation shall be set by the Board upon recommendation by the Superintendent/President. Educational Administrators shall further be entitled to health and welfare benefits made available by action of the Board upon recommendation by the Superintendent/President.

Educational administrators shall be entitled to vacation leave, sick leave, and other leaves as provided by law, these policies, and administrative procedures adopted by the Superintendent/President.
Every educational administrator shall be employed by an appointment or contract of up to 4 years in duration.

The Board may, with the consent of the administrator concerned, terminate, effective on the next succeeding first day of July, the terms of employment and any contract of employment with the administrator, and reemploy the administrator on any terms and conditions as may be mutually agreed upon by the Board and the administrator, for a new term to commence on the effective date of the termination of the existing term of employment.

If the Board determines that the administrator is not to be reemployed when his/her appointment or contract expires, notice to an administrator shall be in accordance with the terms of the existing contract. If the contract is silent, notice shall be in accordance with Education Code Section 72411.
West Kern Community College District Administrator Retreat Rights Policy (DRAFT)

The WKCC District recognizes administrator retreat rights as follows:

1.0 EDUCATIONAL ADMINISTRATORS EMPLOYED ON OR AFTER JULY 1, 1990

1.1 An educational administrator* employed on or after July 1, 1990, who has not previously acquired tenured status as a faculty member of the WKCC District shall have the right of assignment as a first-year probationary faculty member once his/her administrative assignment ends, or if the administrator’s request for assignment is approved, if all of the following apply:

1.1.1 The administrator has completed at least three years of satisfactory District service.
1.1.2 The termination of the administrative assignment is for any reason other than dismissal for cause.
1.1.3 There are sufficient assignments in the discipline or service currently held by temporary faculty to make a full-time assignment for an additional faculty member.
1.1.4 The administrator is not replacing a regular (tenured) faculty member or a contract (probationary) faculty member.
1.1.5 The assignments of the administrators will be governed as follows:

1.1.5.1 The administrator shall only be assigned to a discipline in which he/she holds the appropriate credential or meets the minimum qualifications.
1.1.5.2 The Academic Senate will determine that the administrator possesses the appropriate credential or minimum qualifications for employment as a faculty member.
1.1.5.3 The Academic Senate may present its views on the assignment in writing to the Board of Trustees together with the recommendation presented to the Board by the Superintendent/President.
1.1.5.4 The written record of the decision, including the views of the Academic Senate, shall be available for review pursuant to Education Code 87358.

*(Superintendent/President, Executive Vice-President of Administrative Services, Vice-President of Student Services, Vice-President of Instruction, Director of Dental Hygiene, Dean of Student Services, Dean of CTE)
2.0 EDUCATIONAL OR CLASSIFIED ADMINISTRATORS WITH PRIOR FACULTY TENURE RIGHTS IN THE WEST KERN COMMUNITY COLLEGE DISTRICT

2.1 An administrator with prior faculty tenure rights in the WKCC District shall retain his/her status as a tenured faculty member (Education Code 87454) and shall be able to return to a faculty position in a discipline in which they hold the appropriate credential or meet the minimum qualifications as follows:

2.1.1 The administrator is not replacing a regular (tenured) faculty member or a contract (probationary) faculty member unless the cause of reassignment is due to a reduction in force.

2.1.2 The administrator's current seniority rank will be used if the cause for return to the classroom is a reduction in force.

2.1.3 The return of the administrator to a faculty position shall be governed as follows:

2.1.3.1 The administrator shall notify the District of his/her intention to return to a faculty assignment at the beginning of the next academic year by February 1 of the current year.

2.1.3.2 The administrator will be returned to a faculty position in a discipline in which they hold the appropriate credential or meet the minimum qualifications at the beginning of the next academic year.
THE ACADEMIC SENATE
FOR CALIFORNIA
COMMUNITY COLLEGES

Administrator Retreat Rights:
An Introduction and A Model Procedure
Educational Policies Committee

Administrator Retreat Rights: An Introduction and A Model Procedure

Introduction:

Assembly Bill 1725, section 87458, made an important change in the employment rights of certificated administrators. This document is intended to explain the provisions of the law on this matter and to provide one model for how a local district might establish its Administrator Retreat Rights Procedure. This material has not been debated or adopted by the Academic Senate and is being distributed at this time to obtain comment with the expectation that it will be debated, amended, and adopted at the Spring Session. In the meantime, it will hopefully also help to inform local senates about the issues which should be considered in developing a local procedure.

Certificated administrators used to acquire faculty tenure. Under the new law, they do not acquire faculty tenure. (Although if they had it when they became an administrator, they do retain it or, if they are hired before June 30, 1990, they can acquire it under the terms of prior law.) However, certificated administrators can acquire the right to become first-year probationary faculty members. They acquire this right only if all of the following are satisfied:

1. There is a process in place for accomplishing this reassignment. That process must be agreed upon jointly by the board and the academic senate. Until there has been an agreement, the district may use the one that was already in existence on January 1, 1989, if any. If the district did not have such a policy in existence on that date and if there has been no agreement, then there would be no retreat right at all.

2. The administrator is being transferred for some reason other than cause; his or her work has been satisfactory.

3. The administrator has worked in the district at least two years.

4. The administrator's position is not part of the classified service.
The Administrator Retreat Rights Procedure must, then, work in a way that is as clear and precise as the layoff and bumping procedures for faculty and, at the same time, both be fair to the administrator and ensure that the administrator will be able to function as a faculty member at a level consistent with that expected of those who are hired as faculty members. Such a procedure must settle several questions:

1. Which administrators have this right?

2. In which discipline or disciplines does the administrator possess the minimum qualifications required by law? How is this determination made: by whom and when?

3. If the administrator possesses the minimum qualifications in more than one area or in an area that is offered at more than one location or college within the district, how is it determined to which discipline or location the administrator is assigned?

4. What should be specified about the rights of management to reassign administrators other than those who have a right to reassignment, for example, classified administrators or administrators with less than two years of successful experience? Indeed, although the law specifies that administrators dismissed for cause do not have a right to reassignment, unless additional language is adopted in this policy or somewhere, a district could agree voluntarily to reassign such an administrator.
Administrator Retreat Rights Procedure

A Model Administrator Retreat Rights Procedure

In order to properly balance the rights of students, administrators, and faculty, and in accordance with Education Code Section 87458, the Community College District adopts the following Administrator Retreat Rights Policy.

This policy does not apply to certificated administrators hired before the effective date for these sections of Assembly Bill 1725, (June 30, 1990). A tenured employee, when assigned from a faculty position to an administrative position retains his or her status as a tenured faculty member. The assignment of such an administrator to a faculty position shall be done in accordance with section II below. Administrators hired after the effective date can acquire the right to become first-year probationary faculty members as provided by Education Code Section 87458 and in accordance with this procedure.

1. An administrator hired after June 30, 1990, and who did not have faculty tenure in this district at the time of hire, may be reassigned to a first-year probationary faculty position provided that he or she meets all of the following:

A. Holds an administrative position that either:

   1. Is not part of the classified service. For every administrative job title, the records of the district shall show whether or not it is part of the classified service. The decision to list a position as not part of the classified service shall be made by joint agreement with the academic senate, or

   2. Is part of the classified service, but for whom at the time of hire, he or she was certified by the academic senate as possessing qualifications in a specified discipline or disciplines similar in experience and preparation to what would be expected of a newly hired faculty member. To qualify for reassignment under this provision means that the district may, at its discretion and if the reassignment would not cause the layoff of any contract or regular faculty member, offer such a reassignment to the administrator in question.
Administrator Retreat Rights Procedure

B. Has served in this district a total of at least two years as one or more of the following: a faculty member or instructional or student services administrator. This service has been documented as satisfactory.

C. Is being dismissed due to the elimination of the current position as part of an administrative reorganization or as part of a reduction in force among administrators, that is, for reasons other than for cause. But, if another administrative position of similar rank and responsibilities is open within the district for which this administrator has the minimum qualifications, he or she shall be assigned to that position. In no case shall this district reassign an administrator to a faculty position if evidence exists that justifies dismissal for cause.

II. To determine the discipline and college or location to which an administrator shall be assigned, the following shall apply:

A. The administrator can be assigned only to a discipline in which he or she has at least the minimum qualifications as specified by the Education Code and Title 5. The academic senate shall certify to the governing board for which discipline or disciplines the administrator meets the minimum qualifications and shall recommend the discipline to which the administrator should be assigned. The governing board shall rely primarily upon this judgment. The governing board shall also provide the academic senate with an opportunity to present its views to the governing board before the board makes a determination. A written record of the board's decision, including the views of the academic senate, shall be available for review pursuant to Education Code Section 87358.

B. Whenever possible, the administrator shall be assigned to a discipline in which he or she has not only the minimum qualifications but also where all of the following apply:

1. There are sufficient assignments in the discipline or service at one college or location currently held by temporary faculty to make a full-time assignment for an additional faculty member.
2. The administrators has an interest as indicated by a statement of the administrator's own preference for assignment.
3. The administrator has the most academic preparation and experience.
Section 87454:

A tenured employee, when assigned from a faculty position to an administrative position, or assigned any special or other type of work, or given special classification or designation, shall retain his or her status as a tenured faculty member.

Section 87458:

A person employed in an administrative position that is not part of the classified service, who has not previously acquired tenured status as a faculty member in the same district, shall have the right to become a first year probationary faculty member once his or her administrative assignment expires or is terminated if all of the following apply:

(1) The process by which the governing board reaches the determination 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 the administrator possesses the minimum qualifications for employment as a faculty member. 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.

(2) Until a joint agreement is reached pursuant to subdivision (a), the district process in existence on January 1, 1989, shall remain in effect.

(c) The administrator has completed at least two years of satisfactory service, including any time previously served as a faculty member, in the district.

(d) The termination of the administrative assignment is for any reason other than dismissal for cause.
AP 4115  Award of Emeritus Status

According to Board Policy 4115, the Board of Trustees may award Emeritus Status to employees who have shown exceptional services rendered and significant contributions made over time. Faculty and staff who have served Taft College students for a minimum of ten academic years shall qualify for nomination.

Nomination forms shall be submitted by April 1st of the academic year in which the nominee retires. Forms may be obtained from the Academic Senate for faculty nominations; CSEA officers for classified staff nominations; and the Human Resources department for management staff nomination forms. These forms may also be found online through the Office of Instruction website.

1. Emeritus status for retiring faculty shall be awarded by Board action upon the combined recommendation of the Division Chair, Academic Senate, Vice President of Instruction, and the Superintendent/President.

2. Emeritus status for classified staff shall be awarded by Board action upon the combined recommendation of the CSEA, appropriate Vice President, and the Superintendent/President.

3. Emeritus status for retiring classified management staff and classified confidential staff shall be awarded by Board action upon the combined recommendation of the appropriate Vice President and the Superintendent/President.

4. Emeritus status for retiring educational administrative personnel shall be awarded by Board action upon the recommendation of the Superintendent/President.
NOMINATION FOR EMERITUS STATUS

Administration
West Kern Community College District

Nominee: ____________________________________________________________

Department: __________________________ Date: ______________________

The following signatures indicate approval for the nominee listed above.
Application for Emeritus Status attached.

________________________________________  ______________________
Superintendent/President                   Date

________________________________________  ______________________
President, Board of Trustees                Date
NOMINATION FOR EMERITUS STATUS

Classified

West Kern Community College District

Nominee: ________________________________________________

Department: __________________________________________ Date: _________________

The following signatures indicate approval for the nominee listed above.
Application for Emeritus Status attached.

_________________________________________ Date

Classified President

_________________________________________ Date

Vice President

_________________________________________ Date

Superintendent/President

_________________________________________ Date

President, Board of Trustees
NOMINATION FOR EMERITUS STATUS

Faculty

West Kern Community College District

Nominee: _____________________________________________

Department: _____________________________________ Date: _________________

The following signatures indicate approval for the nominee listed above.
Application for Emeritus Status attached.

__________________________  __________________________
Division Chair               Date

__________________________  __________________________
Academic Senate President   Date

__________________________  __________________________
Vice President              Date

__________________________  __________________________
Superintendent/President    Date

__________________________  __________________________
President, Board of Trustees Date
NOMINATION FOR EMERITUS STATUS

Classified Management/Classified Confidential

West Kern Community College District

Nominee: ____________________________________________________________

Department: ________________________ Date: ________________________

The following signatures indicate approval for the nominee listed above.
Application for Emeritus Status attached.

__________________________________  ____________________________
Vice President  Date

__________________________________  ____________________________
Superintendent/President  Date

__________________________________  ____________________________
President, Board of Trustees  Date
Existing Criteria for Ranking Faculty Position Requests, Developed by Division Chairs and IAR&P, Adopted by the Taft College Academic Senate on January 6, 2012

*Definitions discussed in Division Chairs Meeting, October 9, 2017
*Approved to go forward to Senate-of-the-whole by Academic Senate Council on October 18, 2017
*Approved by the Senate-of-the-whole on November 6, 2017

- Use program review data to ensure consistency in the data.
- Have either HR of Instruction determine the salary and benefits for the faculty position.
- Consider funding sources because that could allow us to cover Non teaching faculty, CTE or Grants that are not as clearly defined in the criteria. This is always a major concern.

Immediate Impact on Existing Programs

- Current faculty overload
- Adjunct faculty units
- FTES per year
- Narrative on percentage of units being taught in adjunct and overload
- Narrative on any type of trends.
- Narrative on what programs this position serves.

Impact on Major Requirements

- Majors covered by this position
- Actual Declared majors
- Narrative

Impact on Transfer/Completion for Certificate Programs

- Narrative on the courses that this position will include and how they fit into the particular program.

Distinction between GE and Programs (Gen Ed. is precedent) Transfer/CTE/Basic Skills

- Narrative on the courses that this position will include.
- Are those courses GE, Transfer, CTE or Basic Skills

Number of Students Served

- Enrollment data
- Narrative on the trend

Student Need (professional services needed to help student success i.e. counselor)
- Narrative on what services the students will need to be successful (This is likely very similar for all faculty positions)

Number of Other Faculty Remaining in Division
- Narrative on the remaining faculty in the division. (Also covered in #1)

Linked to Program Review and Planning
- Narrative

Fits Mission of the College—CTE and Transfer, community needs, student needs
- Narrative

Campus/Faculty Resources
- Salary and benefits should be the same for all new faculty (Figures could be developed by either HR or Instruction)
- Additional resources necessary for this position.

How Many Students in Each Major (Could be moved to #3)
- Breakdown of majors within the division by semester or by year.
- Narrative on if there is sufficient student population for this position

Length of Time Position has been Vacant
- Narrative – retirement, replacement, new
BP 7120  Recruitment and Hiring

Reference:
   *Education Code Section 70901.2, 70902(b)(7) & (d), 87100 et seq., and 87458;
   *Title 5, Section 53000, et seq. and 51023.5;
   *ACCJC Accreditation Standard III. A. 1

The Superintendent/President shall establish procedures for the recruitment and selection of employees including, but not limited to, the following criteria.

An Equal Employment Opportunity plan shall be implemented according to Title 5 and Board Policy 3420 titled Equal Employment Opportunity.

Academic employees shall possess the minimum qualifications prescribed for their positions by the Board of Governors.

The criteria and procedures for hiring academic employees shall be established and implemented in accordance with board policies and procedures regarding the Academic Senate’s role in local decision-making.

The criteria and procedures for hiring classified employees shall be established after first affording CSEA Chapter #543 an opportunity to participate in the decisions under the Board’s policies regarding local decision making.
BP 7100   Commitment to Diversity

Reference:

   Education Code Section 87100 et seq.;
   Title 5, Section 53000, et seq.

The District is committed to employing qualified administrators, faculty, and staff members who are dedicated to student success. The Board recognizes that diversity in the academic environment fosters cultural awareness, promotes mutual understanding and respect, and provides suitable role models for all students. The Board is committed to hiring and staff development processes that support the goals of equal opportunity and diversity, and provide equal consideration for all qualified candidates.
A Re-examination of Faculty Hiring Processes and Procedures

ADOPTED SPRING 2018
EQUITY AND DIVERSITY ACTION COMMITTEE 2017-2018

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Introduction

The hiring of faculty is at the heart of developing and maintaining programs, as well as the success and achievement of students, in all educational systems, and the California Community College System is no exception. While hiring practices may vary in terms of specifics in the 72 community college districts in California, basic principles and tenets of faculty hiring are consistent across the state. In recent years, a focus on diversifying the faculty that are hired at community colleges has increased in intensity, and both the Academic Senate for California Community Colleges (ASCCC) and the California Community Colleges Chancellor’s Office (CCCCO) have responded in a range of ways. This paper, in response to Academic Senate Resolution 3.01 (S17), is one of the various avenues through which the ASCCC has responded to the interest in diversifying community college faculty.

Academic Senate Resolution 3.01 S17 reads as follows:

Whereas, The most recent Academic Senate for California Community Colleges (ASCCC) paper on faculty hiring, A Re-examination of Faculty Hiring Processes and Procedures, was adopted in Fall 2000, and it is good practice to regularly review and reevaluate professional standards regarding the hiring processes and procedures for all faculty;

Whereas, Awareness of the importance of developing faculty hiring processes to increase the diversity of candidates applying and being interviewed for full-time faculty positions has become more significant throughout the system, including the drafting and recent release by the Chancellor’s Office of the Equal Employment Opportunity (EEO) and Diversity Best Practices Handbook, which provides an explanation of the recently-adopted, multiple methods allocation model for EEO funding and model practices for addressing the nine multiple methods described in the allocation model; and

Whereas, The report from the Board of Governors’ Task Force on Workforce, Job Creation, and a Strong Economy included recommendations to expand the pool of potential career and technical education (CTE) faculty with industry experience, and subsequent efforts by the ASCCC and the Chancellor’s Office CTE Minimum Qualifications Task Force have been made to assist colleges to be more flexible when hiring CTE faculty while maintaining high academic and professional standards;

Resolved, That the Academic Senate for California Community Colleges update the paper A Re-examination of Faculty Hiring Processes and Procedures and bring it to the Spring 2018 Plenary Session for discussion and possible adoption.

In addition to serving as a revision of the Fall 2000 paper, this new paper also includes significantly more information about the statewide efforts of both the ASCCC and the CCCCO on hiring more diverse faculty, effective practices for expanding the diversity of hiring pools, and sample language from colleges used in hiring practices and procedures.

1 http://asccc.org/papers/re-examination-faculty-hiring-processes-and-procedures
As is clearly spelled out in the Fall 2000 paper,

The California Education Code is unequivocal in its assignment of authority to faculty in the realm of hiring. Section 87360 (b) reads: “hiring criteria, policies, and procedures for new 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.” Two things are significant here: First, this mandate appears in Education Code, rather than in Title 5 Regulations, and whereas both Education Code and Title 5 Regulations have the force of law, this mandate is clearly the express intent of the Legislature. Second, there is no qualification of the mandate, no specification of circumstances wherein it would be permissible for boards to circumvent the requirement to reach joint agreement with the academic senate. These two points combine to make the authority of faculty in hiring even stronger than in the 10+1 academic and professional areas specified in Title 5 §53200. That faculty have the discipline expertise and the motivation to set the highest possible standards in selecting those who will be their colleagues for the next twenty to thirty years is simply inarguable.

Like the Fall 2000 paper, which was not intended as a substitute for previous ASCCC papers on hiring, this paper is intended as an update with more information about concerns that have become increasingly prevalent, including the role of faculty in the hiring of part-time faculty, interest in the diversification of faculty in the California Community College System, and the need for effective practices that can be used to expand the pools for both full – and part-time hiring in all disciplines across the state.

In addition, this paper should be used in conjunction with the CCCCO’s Equal Employment Opportunity and Diversity Best Practices Handbook (2016)3, a document created by the CCCCO’s EEO and Diversity Advisory Committee to assist colleges in understanding and implementing the conditions around diversification of the workforce required to receive EEO funding.

What Has Changed Since the Last Paper

As one might expect, dramatic changes around hiring have occurred in the 18 years since the adoption of the last ASCCC paper on hiring paper in 2000. Some of these changes are technological, such as the submission of applications through an online portal or the electronic transmission of transcripts rather than paper copies. Others are more philosophical, including the interest in diversifying departments, the expansion of hiring pools to include non-traditional candidates, and even the pedagogical expectations sometimes listed in preferred qualifications. For example, in 2000, colleges usually did not include a preferred qualification of teaching online; today, that attribute is far more likely to be listed.

Changes in campus demographics around diversity have also occurred, both in terms of college personnel and in terms of students. Student populations have seen increased diversity in terms of gender, ethnicity, race, veteran status, and other measures. While faculty hiring has not always matched these increases, evidence shows that the most recent efforts to diversify faculty have yielded more encouraging results. The examination of faculty diversity undertaken by the Chancellor’s Office EEO and Diversity Advisory Committee has dispelled

one long-time myth: that the ranks of the part-time faculty across the state are more diverse than those of the full-time faculty. Instead, faculty diversity remains fairly consistent regardless of employment status. For these reasons, effective practices in the diversification of hiring are important regarding both full- and part-time faculty.

The resolution calling for an update of the 2000 paper included a whereas regarding recommendations from the Board of Governors’ Taskforce on Workforce, Job Creation, and a Strong Economy. These recommendations were directed toward the expansion of the pool of qualified applicants for career technical education (CTE) positions while maintaining high academic and professional standards. Many of the effective practices and strategies designed to diversify hiring pools are applicable across disciplines, including CTE hires. Among these strategies are ways in which colleges can be more flexible in terms of equivalencies; however, because the focus of this paper is around hiring, equivalency is only one of the elements discussed. Readers are encouraged to consult the 2016 ASCCC paper *Equivalence to the Minimum Qualifications* for further information on the topic of equivalency.

Change has not occurred solely at the colleges. Significant work has been accomplished over the last three years by the Chancellor’s Office EEO and Diversity Advisory Committee, which in 2016 created the *Equal Employment Opportunity and Diversity Best Practices Handbook*. While this handbook covers topics other than hiring, hiring practices are at the heart of the document, which spells out the requirements that colleges and districts need to meet in their processes and procedures in order to secure EEO funds.

This paper is divided into multiple sections that are designed to address each aspect of hiring, from the formation of the committee through the process itself, as well as a section on mentoring of new faculty. Appendices offer effective practices from different colleges and information from the Chancellor’s Office regarding efforts to diversify faculty in the recent past.

**Summary of Changes to the EEO Fund Allocation Model and Impact on Hiring Practices**

In 2015, the CCCCO, acting on the recommendation of the EEO and Diversity Advisory Committee, modified the Equal Employment Opportunity Fund Allocation Model. While historically EEO funds were allocated based on enrollment, these funds are now allocated to districts that meet “multiple methods of measuring success in promoting equal employment opportunity” as per Title 5 §53030(b)(2).

The *Equal Employment Opportunity and Diversity Best Practices Handbook* was created to assist colleges in meeting these multiple measures. Each local district’s chief human resources officer, chief executive officer, and board of trustees must annually certify compliance with the multiple measures in order for the district to receive EEO funds. The handbook spells out the current—as of 2017-18—nine possible measures and provide examples for each. These nine measures are as follows:

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4 https://www.asccc.org/papers/equivalence-minimum-qualifications-1
MANDATORY FOR ALL COLLEGES

1. The district must convene an Equal Employment Opportunity Committee and demonstrate that the committee met through minutes or other records. That committee, in accordance with local processes, must create and submit an Equal Employment Opportunity Plan to the Chancellor’s Office as well as expenditure and performance reports for the prior year. This measure—the only one of the nine that is mandatory for all districts—has seen an increase in compliance from 79% of districts submitting these materials in 2015 to 100% of districts submitting them in 2017.

IN PRE-HIRING PROCESSES

2. The district must demonstrate that it has adopted board policies and resolutions that evidence a commitment to diversifying hiring processes and procedures. The Chancellor’s Office has been clear that if a board does not use resolutions in its normal proceedings, adopted board policies will suffice.

3. The district must provide incentives for hard to hire disciplines or areas. These incentives are not limited to finances; for example, the district can demonstrate fulfilling this measure by allowing for Skype interviews if the college is difficult to reach or by limiting preferred qualifications to increase the overall size of the pool.

4. The district provides focused outreach and publications that demonstrate a commitment to diversifying hiring. This measure could include running advertisements and job announcements in a wide variety of publications to reach diverse populations, attending job fairs that are out of the college's area, or other demonstrable examples of diversifying outreach efforts.

IN HIRING PROCESSES

5. The district has established processes and procedures for addressing diversity throughout all steps and levels of the hiring processes. This measure includes such matters as the creation of the screening committee, the steps for job announcements, and interview processes, among others.

6. The district has provided consistent and ongoing training for all members of all hiring committees.

IN POST-HIRING PROCESSES

7. The district provides professional development focused on diversity.

8. The district ensures that diversity is incorporated into the employee evaluation and tenure processes.

9. The district actively pursues the creation of “grow your own” programs seeking to hire students who attended California Community Colleges.
Beginning in 2016-17, districts were expected to demonstrate that they met five of the above multiple measures, in addition to the mandatory measure, in order to receive EEO funding. In 2016, 77% of districts were able to demonstrate compliance by meeting at least five of the measures; in 2017, that number rose to 94%. The minimum standard for funding increased to meeting six of the eight measures in 2018-2019. Colleges may likely expect that the number of multiple measures expected to be met, as well as the measures themselves, will increase in coming years.

Hiring Processes and Prioritizations

The decision to hire faculty for contract positions, including tenure-track, should be determined cooperatively through a well-defined process that involves college administration including human resources, the local academic senate, and subject-area faculty. This process should include a thoughtful review of the capacity and needs of the college or district and an assessment of subject area strengths and weaknesses, as well as any need for special skills or foci within a discipline.

In all cases, the academic senate must be centrally involved in the determination of new faculty positions. According to California Education Code §87360 (b), “hiring criteria, policies, and procedures for new 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.” In addition, Education Code §87360(a) states that districts are required to develop hiring criteria that include “a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students.” Local hiring processes should result in jointly agreed-upon recommendations for hiring criteria, policies, and procedures for faculty; in addition, any changes to these criteria, policies, and procedures must also be jointly agreed upon.5

To this end, the academic senate should work with the governing board or its designees to develop clearly delineated procedures for analyzing requests and for ranking positions for which new faculty will be hired. Although colleges and districts may utilize a range of local processes for the determination and prioritization of faculty positions, colleges are best served by clear processes that connect requests for the hiring of faculty to local planning and budgeting policies and procedures in order to ensure that decisions are made on the basis of objective criteria, are applied fairly, and are focused on student needs.

While actual policies vary considerably around the state, the initial determination of the need to hire within a discipline should whenever possible rely on, and begin with, consultation with discipline faculty. Discipline faculty possess the expertise to evaluate the needs and requirements of the subject area. In collaboration with administration, such as the appropriate academic dean, a subject-area review by discipline faculty should include quantitative and qualitative data and, where possible, should make reference to the college’s program review process, program-level outcome assessments, and other data relevant to the program or department. For career technical education programs, additional information regarding employment data and other information from regional consortia, advisory committees, or other outside entities may also be relevant.

5 See the Irvine Valley College vs. South Orange Community College District decision, June 2005 http://caselaw.findlaw.com/ca-court-of-appeal/1068365.html
Quantitative factors are typically provided to faculty and administration by a college's office of research and planning. Attention should be given to any identified data trends to include the current term and at least the two prior academic years where possible. Quantitative factors to consider may include the following:

- Current full-time equivalent faculty (FTEF) within the discipline.
- The percentage of FTEF who are full-time faculty.
- The percentage of FTEF who are part-time faculty or full-time faculty teaching overload sections.
- The total number of sections offered in each discipline.
- The total number of full-time equivalent students.
- The percentage of instructional hours delivered by full-time faculty versus part-time faculty.
- The average percentage fill rate of course sections.
- Total weekly student contact hours.

Additional quantitative factors to consider include overall ratio of full-time to part-time faculty at the college. Although Education Code §87482.6 specifies a legislative goal of 75% of instructional hours to be taught by full-time faculty, many community colleges do not meet this goal. However, colleges should not be trending away from the 75% goal, nor should the percentage for a college in a multi-college district differ significantly from other colleges within that same district.

Colleges will also wish to consider their district-wide Faculty Obligation Number, or FON. The FON is set by the Chancellor's Office per Title 5 §51025, which requires college districts to increase the number of full-time faculty over the prior year in proportion to the amount of growth in funded credit full-time equivalent students. Local academic senates should remain aware of the district FON, as districts can suffer significant financial penalties for failure to meet this requirement. The FON is set for the district, rather than for individual colleges, so in multi-college districts a disparity may exist between colleges despite the district still meeting its FON.

Qualitative factors should also be considered in establishing faculty hiring priorities. The identification of qualitative factors should involve consultation with discipline faculty and should be seen as a method to connect the hiring prioritization process to a college's and district's integrated planning processes, including program review. Qualitative factors to consider may include the following:

- The proposed job description.
- How the position would serve the needs of the discipline for which it is requested.
- Potential teaching load.
- The availability of qualified part-time faculty in the discipline.
• Representation of the staff with regard to gender, underrepresented group status, and other diversity metrics.

• Subjects and areas of the greatest strengths of the current staff and areas where additional expertise is required.

• Specific needs related to departments staffed by a single full-time faculty member or only part-time faculty members.

• Any legal mandates for a program, including state or federal mandates or requirements by external accreditation bodies (e.g. allied health programs).

• New programs that may require discipline faculty expertise.

In addition, colleges with a baccalaureate degree program will need to take into consideration the requirements for faculty in that area.

A college may also want to consider an analysis of projected needs within a specific discipline, where relevant. As such, the hiring prioritization process may allow for additional quantitative or qualitative factors that demonstrate these anticipated needs. Some possibilities to consider are an analysis of projected enrollment trends within the discipline based on employment trends or trends in transfer-level courses or developmental needs, additional requirements for student support, changing technology and the need to support the development of new skills, diversity needs for the department as well as the college or district, additional needs revealed by the district’s strategic planning processes such as program review, forthcoming categorical funding requirements, and the district’s educational master plan.

In developing or reviewing its hiring prioritization process, a local academic senate should consider creating a printed timeline for the process that includes submission deadlines, review by the academic senate, and submission to the president and board of trustees. Other possible aspects of such a timeline may involve the following:

• A request from the prioritizing body for hiring prioritization forms, soliciting the same information from all petitioning subject-areas and including clear connections to program review, outcomes assessment, and integrated planning and resource allocation procedures.

• Open discussion between the academic senate and administration regarding the merits of each petition.

• An agreed-upon procedure for forwarding recommendations to the college president or governing board.

• An agreed-upon procedure should the college choose to deviate from or alter the recommended priorities.

In this way, the hiring prioritization process is both predictable and transparent, while still maintaining flexibility on behalf of the district.
In addition, while the majority of current and future faculty staffing needs may be anticipated, some program needs may be unknown at the time of the hiring prioritization process and may therefore necessitate critical—sometimes also called emergency—hires. Unknown factors may include late or unanticipated retirements and resignations, vacancies of probationary faculty positions, unforeseen loss of adjunct faculty to other full-time positions, or unfilled positions needed to implement new or existing programs such as time-sensitive, grant-funded programs. Critical hires may also be a response to an immediate need for more course sections or expanded academic or student services due to program accreditation requirements, insufficient discipline adjunct pools, or other similar factors.

In all instances where critical hires are to be considered by a college, a corresponding procedure for the determination of eligible positions further contributes to the transparency of the overall hiring prioritization process. Therefore, colleges or districts are well-served to develop a separate and clear procedure for the determination and approval of critical hires, including a timeline, criteria for the request, validation of the necessity of such a hire, and similar matters. More on critical hiring processes can be found in the “Other Hiring” section of this paper.

At its core, any procedure for the determination of hiring priorities should involve the academic senate in consultation with subject-area or discipline faculty, college administration, and the board of trustees. The process should be as objective and data-informed as possible, allowing for the inclusion of quantitative and qualitative factors. The procedures should be timely and predictable, as clearly delineated, repeatable procedures are the best method to ensure the integrity and transparency of the hiring prioritization process for all involved parties.

The Formation of the Hiring Committee

District policies typically specify the composition of a hiring committee; however, academic senates should review these policies periodically to assure that they are providing the best opportunity to hire faculty experts that meet the needs of California’s diverse student population. In some districts, the collective bargaining unit also plays a role in the hiring process. In such cases, the collective bargaining unit must work with the academic senate to facilitate formation of an appropriate hiring committee.

Hiring committees should contain diverse membership to provide a variety of perspectives in selecting candidates, as per Title 5, §53024.

The composition and training of a hiring committee are very important, as the committee will make an impression on the interviewee that may be a factor in the decision of a candidate who receives multiple offers of employment. No committee should ever sacrifice discipline expertise for the sake of a more diverse committee makeup; however, if the discipline expertise does not supply significant diversity for the committee, then the college may wish to supplement the discipline faculty with additional faculty representatives who can provide greater diversity and differing perspectives.
The Role of Faculty on Faculty Hiring Committees

Faculty on hiring committees should be appointed or confirmed, according to local process, by the academic senate. Title 5 §53202 (f) states that “appointment of faculty members to serve on college or district committees, task forces, or other groups dealing with academic and professional matters, shall be made, after consultation with the chief executive officer or his or her designee, by the academic senate.” Local senates may choose to delegate the nominating process for these appointments to the disciplines involved or in some other manner; whatever the process, academic senate confirmations or appointments should be made in consultation with faculty from the discipline or subject areas, acknowledging the key role of department members in hiring into their own discipline and avoiding unnecessary tension between the roles of the department and the academic senate. The senate’s involvement provides assurance that procedures are being followed and thus affords a level of legitimacy that might otherwise be absent. In addition, the exercise of the academic senate’s role provides an opportunity for any concerns regarding the committee’s composition to surface and be resolved at the earliest stage of the hiring process.

As discipline experts, faculty play a key role in the hiring process. Depending on local practice, discipline faculty may be involved in writing the job description or in determining additional desirable or preferred qualifications and applicant screening criteria. Some districts may request faculty input regarding where to advertise a position or other matters involving recruitment efforts prior to the position closing. Faculty may also be involved in other aspects of the process prior to the actual interviews, including writing interview questions, determining possible scenarios for a teaching demonstration, suggesting additional measures within the interview process such as a hands-on demonstration for some programs, and other areas. Having a diverse committee composition ensures that many different perspectives are considered throughout these various aspects of the process so that the candidates that can best serve the diverse needs of students are more likely to be selected.

The Role of Administrators in Hiring Faculty

A number of administrators may play key roles in the hiring process, although the precise nature of administrative involvement will vary from district to district.

The area administrator, often a dean, may be the chair of the committee or may simply be a member. The position of the area administrator on the committee, including whether or not the administrator is a voting member, will be a matter of local policy, jointly agreed upon by the governing board and the academic senate and spelled out in district processes. In most district processes, the area administrator’s office will supply the committee with logistical support. Ideally, the area administrator, by virtue of service on a multiplicity of hiring committees, should have developed considerable expertise in all areas of the hiring process and should be a valuable resource to the committee. If the area administrator is not the chair, he or she should also work with the committee chair on various tasks, such as making reference checks on the finalists.

The chief human resources officer, or his or her designee, will review committee materials to ensure their conformity to state law and district policy and will serve as a resource to the committee on these matters. The chief human resources officer or his or her office may also be responsible for coordinating the advertisement of the position.
In some districts, a vice president or other senior administrator serves as the president’s designee in final interviews. The number of candidates selected for final interviews and the involvement of the committee with those interviews will be dependent on local processes. The selection of the applicant to be recommended to the board of trustees for hire is ultimately the responsibility of the college president or district chancellor.

**Training the Hiring Committee**

Once the hiring committee has been constructed, it must be trained in accordance with the district's EEO plan (Title 5, §53003(c)(4)). This training should go far beyond the legal requirements of compliance with EEO standards to include anti-bias training on issues such as components of implicit bias. Meaningful training is essential if colleges are to make significant progress toward diversifying their faculty and is one of the multiple measures spelled out in the *Equal Employment Opportunity and Diversity Best Practices Handbook*. Furthermore, this training should take place before the job description is written in order to assure that a richly diverse applicant pool is obtained and that qualified applicants are not inadvertently screened out because of biases in the job description.

The role of the EEO representative on the committee is to monitor the process in order to ensure that process adheres to the principles in Education Code §87100(a)(3) “that all persons receive an equal opportunity to compete for employment and promotion within the community college districts and by eliminating barriers to equal employment opportunity.” All members of the committee must have EEO training; however, in an effort to increase diversity according to the district EEO plan, each committee should include one person whose primary function is to ensure that appropriate procedures are adhered to and that the EEO perspective is maintained throughout all of the committee’s deliberations. Thus, the EEO representative on the committee must receive specific anti-bias and compliance training according to the district’s EEO plan and must have access to the district’s EEO officer for advice and, if necessary, to report any perceived bias that cannot otherwise be resolved.

Because language often contains implicit bias, committee members must receive training on elimination of bias before construction of the job announcement. Furthermore, many potential candidates that meet or exceed minimum qualifications may have little familiarity with the California Community College System and cannot be presumed to be familiar with common terms and procedures used in the system. Therefore, the primary qualifications listed in the job description should be phrased clearly and plainly. The details of the application processes and the meaning of such terms as equivalency, as well as how it may be demonstrated, should be provided to potential applicants. District equivalency processes should be clearly spelled out and easily obtainable for interested applicants who might not meet the minimum qualifications as stated.

Confidentiality must also be a central part of hiring committee training. Committee members will generally be asked to agree that they understand that the work of the committee is done in strictest confidence and that the committee members should not communicate outside of committee discussions with each other or with others regarding any of the candidates, interviews, or committee conversations, both during the process and following its conclusion. While local processes may have slightly different procedures for training committee members on confidentiality, such information should be a part of every hiring committee training in the state.
Developing Objectives

Prior to engaging in the hiring process, the committee should begin by developing clear objectives. While colleges are generally very good about explaining the specific types of courses a new hire would be expected to teach and how the committee wants the candidate to appreciate the diversity of the students, clarity must also be provided regarding professional responsibilities, what it means to be part of the campus culture, and any other attributes, skills, or knowledge that would help to define an ideal candidate. This information will dictate the design of the entire hiring process, including job description, applicant screening criteria, interview questions, and applicant selection criteria.

The first things for a committee to discuss and determine are hiring objectives. Ideally, the discipline faculty or the department would meet and have a serious dialogue about who the new hire needs to be, both objectively and subjectively. Some issues to consider include what strengths the new hire needs to have, what particular challenges the new hire may face, and what perspectives might be needed in the department. The development of objectives should be the product of extensive dialogue, such that the entire committee, working from the recommendations of the discipline faculty, has a common understanding of what characteristics are desired in this new faculty member.

The Job Description

The next challenge for the committee is crafting the job announcement to capture the agreed-upon objectives. Aside from the college’s required information that is included in each faculty vacancy announcement, the discipline faculty, in consultation with other committee members, must determine what desired qualifications are expected from a candidate as well as the minimum qualifications the candidate would possess. To broaden the pool of applicants, the authors of the job description may wish to include as minimum requirements only the standard qualifications from the Board of Governors’ Minimum Qualifications for Faculty and Administrators in the California Community Colleges, known colloquially as the Disciplines List.

The minimum qualifications as indicated in the Disciplines List simply allow an applicant to become part of a pool of candidates to be considered. A decision to raise the minimum qualifications should be made only after serious consideration, especially in disciplines that traditionally have a limited overall pool or a limited pool of diverse candidates. Depending on the position, however, more rigorous qualifications than stipulated by the Disciplines List may be desired. For example, if the new hire needs to have particular experience, have a license or certificate in a particular area, or be bilingual, these supplemental criteria could be included in the qualifications. Because raising the minimum qualifications often has the effect of limiting the applicant pool, doing so should only occur when the committee determines that additional qualifications are truly necessary to perform the duties in the job description. While constructing the job announcement, the authors should bear in mind that Title 5 §53022 requires that “[j]ob requirements shall include a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation, and ethnic backgrounds of community college students.”
After determining the minimum requirements, the committee can consider preferred or desirable qualifications. This second set of qualifications, as well as any minimum qualifications above those in the Disciplines List, should clearly connect to the agreed-upon hiring objectives. For example, committees commonly give preference to candidates with California community college teaching experience. Unless data indicates that candidates with California community college experience are significantly more successful in serving students than faculty with other backgrounds, such criteria should be avoided. Criteria such as these not only serve to limit the applicant pool but often have other unintended consequences, including limiting the diversity of candidates. For instance, many recent graduates with experience as graduate teaching assistants but no community college experience, including graduates of nearly all historically black colleges and universities and graduate degree-granting Hispanic serving institutions, would be disadvantaged if this type of preferred qualification were included. In addition, while the committee might be willing to consider candidates that do not possess all of the preferred qualifications, candidates may be dissuaded from applying if the preferred qualifications appear to be insurmountable. As an example, a potential candidate without a completed doctorate might not apply for a job in which one of the preferred qualifications was a PhD in the subject area.

Desirable or preferred qualifications can include but are not limited to the following:

• Academic qualifications beyond the minimum set by law and regulation if these qualifications would provide the basis for better teaching or other service.

• Measures of pedagogical skill such as evaluations of prior experience, education in pedagogy, or demonstrations of effectiveness as a teacher, counselor, librarian, or other faculty member.

• Specific preparation to offer instruction or other service narrower in scope than a discipline; for example, when hiring a faculty member to teach piano, a college would probably require not only the minimum qualifications to teach music but also specific qualifications to teach piano.

Committees should identify the desirable qualifications that, when teamed with the minimum qualifications, will result in an applicant that meets the characteristics of the ideal candidate. The previously determined objectives should emerge clearly from the job description developed. Committees should also seek the assistance of appropriate administrators to be certain that the job description conforms to relevant legal requirements, particularly those noted in Title 5 §53022.

Once the job description has been approved through local processes, other individuals or offices should not be allowed to subsequently add additional qualifications. In districts where this sort of intrusion is a problem, the academic senate should request of the governing board that hiring policies be revisited and should revise them to explicitly exclude such practice. Interference with established policies in an ongoing hiring process should be cause for immediate alarm and may be a basis for terminating the process. Academic senate presidents should be alerted to any such intrusion when it occurs.

Finally, the language of the job description should promote diversity and inclusivity. A job announcement should do more than state what the college is looking for in the position; it should also convince the applicant that the college is a desirable place to work. In order to attract a diverse body of candidates, the job announcement...
should reflect the institution’s mission, priorities, and interest in inclusion and diversity. Colleges should look for every way possible to make all job announcement materials represent their institution’s commitment to all students and make them inviting to candidates of diverse backgrounds and perspectives. In addition, colleges should consider hiring as a means by which to foster a culture of diversity within the college community itself. By welcoming a greater diversity of applicants, candidates, and hires, a college has the potential to cultivate a more vibrant campus culture that may more accurately reflect the diversity that exists in the student population and within the community.

Advertising and Recruiting

At many colleges, the selection committee is involved in the development of advertising copy to ensure that the materials are clear in their intent, honest in their representations, and friendly to diverse populations. Because the job announcement is a recruitment tool, committee members may also include in the announcement and in other advertising copy information regarding the nature of their campus culture, the features of the campus and community that make it a vibrant and rewarding place to work, and the accomplishments or traditions of which they are particularly proud. Recruitment materials should communicate these positive images to potential applicants.

To develop a richly diverse pool of candidates, more will be required than posting the job opening in the California Community Colleges Registry or the Chronicle of Higher Education. Ideally, the selection committee should work with the college or district human resources and EEO offices to identify additional avenues for reaching potential candidates. Some examples include the following:

- Targeting related-discipline departments at other colleges that have large populations of historically underrepresented groups.
- Working with national organizations that represent historically underrepresented groups to develop further postings.
- Working with local regional consortia, industry, and other organizations to promote teaching in the community college system to potential faculty in career technical fields.
- Advertising in a variety of locations that increase the likelihood of reaching the most diverse pool of potential candidates possible.
- Connecting with discipline specific organizations representing historically underrepresented groups.

Beyond electronic and print mechanisms, faculty should, if doing so is consistent with local practice, consider face-to-face opportunities at local or regional job fairs, educational placement fairs, or other such venues. While human resources officers often attend such efforts, the committee members themselves may make better salespeople, responding to particular questions about the discipline, the college expectations, and the joy of teaching at the local institution.
Initial Screening

At most campuses, the selection of candidates to be interviewed begins with a review of applications. Any questions regarding equivalency for candidates are to be resolved, according to Education Code §87359(b), using procedures “developed and agreed upon jointly by representatives of the governing board and the academic senate.” Equivalency evaluations should be completed in a timely manner in order to ensure that all applicants are provided with equal opportunity to be interviewed or considered.

The screening process for minimum qualifications varies by district. In some districts, this screening is performed by the human resources office. However, a more effective practice involves discipline faculty determining whether a candidate meets minimum qualifications or might meet them through equivalency.

To have individuals other than discipline faculty complete the minimum qualifications evaluation could result in the loss of candidates whose qualifications would be evident to discipline faculty but perhaps not to those outside of the field.

The hiring committee should make every effort to ensure that review and selection procedures are free from bias and barriers in order to identify the best qualified candidates from diverse backgrounds. The following recommendations should be taken into consideration when evaluating applications:

• Assess ways that non-traditional or unconventional scholarship or research might contribute to the discipline, department, or college.

• Recognize that some individuals from underrepresented groups or other populations, such as those who were refugees, may have gaps in their education or might have taken longer to complete their coursework.

• Understand that many transferrable skills are acquired through alternative work or volunteer experiences and are no less valuable than more traditional pathways.

• Be sensitive to nonstandard ways in which applicants whose secondary language is English might utilize grammar, punctuation, word choice, and phrasing in the writing of cover letters and resumes.

The committee should have a screening instrument, or score sheet, which allows members to evaluate each applicant on the qualities listed in the job description. The responses on the screening instrument should be weighted to emphasize those qualities most relevant to the candidates’ performance of the work for which they will be hired. The scale for this evaluation should be agreed upon by the committee prior to the review of any applications in order to ensure that no bias enters into the process. Screening criteria should align with the minimum and preferred qualifications spelled out in the job description, although additional screening criteria, such as quality of application, can be included if the committee members agree and inclusion of such criteria reflects locally approved processes.

The committee should allot sufficient time for a full discussion of the members’ responses to candidates’ applications. This practice allows each individual member to process any thinking that might influence his or her perceptions of the applicants. Having an open and honest dialogue encourages members to ask questions
about aspects of an applicant’s background that they might not understand and creates an opportunity to reflect on any unconscious biases that might lead to the exclusion of qualified candidates from being interviewed.

Committee members should be encouraged to modify their scores in the light of insights gained through discussion, and at that point the scores might be given a major role in the selection of interviewees for the position. Because all of the documents used in the hiring process must be submitted as part of the legal record, committees may want to create a second rating sheet for this discussion phase on which they make notes and enter their sometimes revised scores. Both sets of scores, pre- and post-discussion, would then be submitted.

Once the decision as to who to interview has been made, the committee should establish a tentative interview schedule. At that time, both successful and unsuccessful applicants should be notified as soon as possible. The committee is unlikely to be responsible for notifying the candidates; however, this courtesy is extremely important, as any faculty member who remembers his or her own job applications will recall. The committee chair, if not responsible for this step of the process, should follow up with the responsible party to ensure that this courtesy has been rendered.

Interview Process and Questions

College and district policies regarding interview questions vary, with some colleges using a relatively standard set of questions for all interviews and other colleges allowing the discipline faculty or the hiring committees to determine their own questions. Some colleges may include a mixture of both: a set of pre-determined questions in addition to more specific, often discipline or pedagogically grounded, questions. The creation of the questions for the interviews should be done prior to the screening of applications in order to avoid any kind of bias in the questions themselves. If the committee is creating the questions, it may wish to seek out examples used in previous interviews for similar positions or from other sources, or the members may choose to create the questions collaboratively. The same questions should be asked of each candidate to ensure fairness, although some local processes allow for follow up questions or for clarification. The important aspect of the questioning process is that each candidate be treated in the same way and that no candidate be given either greater or lesser opportunities to make an impression than those extended to all other interviewees.

In the past, certain types of questions were standard in all interviews, most famously a so-called “diversity question” aimed at fulfilling Title 5 §53022; however, a more effective and useful practice is for committees to infuse qualifications such as diversity awareness or cultural competence into multiple questions rather than insolating those topics. Questions that require knowledge of a particular subject or terminology that is not a necessity for the position, such as familiarity with nomenclature commonly used in the California community colleges, may screen out otherwise qualified candidates and prevent them from being considered for a second or final interview, potentially impacting the overall diversity of the group being sent forward. Committees should consider carefully these types of questions before agreeing to include them; for example, in most cases a candidate for a faculty position would not need to know what Title 5 is or says. In order to ensure an equitable opportunity for all candidates, the committee should make every effort to ensure consistency and fairness in the development of all questions used in the interview.
Most faculty hiring processes require a teaching demonstration of some sort, and the committee should therefore also consider the question or questions for the teaching demonstration and the expectations of the candidates. Interviewees should be informed in advance of how much time they will have for their presentations so that they can prepare an appropriate demonstration within the allowed time constraints. Candidates also should be informed in advance if they will be allowed to use technology and what the expectations will be, such as if they will be required to bring their own computers, if internet access will be available for the candidates to use cloud-based documents, and whether they should bring sample syllabi or assessments.

In addition, committees should consider what kind of teaching demonstration they want to ask the candidates to provide. While in the past the standard demonstration often involved a lecture, pedagogical changes have led to many teaching styles involving flipped classes or having more interactive components, and therefore committees should be clear regarding what their expectations are in terms of the demonstration. For example, if the committee is instructed not to engage with the candidate and the candidate is not made aware of this instruction, the candidate might unknowingly prepare an interactive presentation and may not understand why the committee is not cooperating. Given the stressful nature of interviews, ensuring that the candidate is aware of what is expected ahead of time will be very helpful in allowing the candidate to make the best impression of which he or she is capable.

The committee may also want to consider whether or not to allow nontraditional interviews, such as online or video interviews, for the first round of the process. Because some colleges may not have the budget to reimburse candidates’ travel expenses to come to the campus for interviews, the cost associated with interviewing may preclude some potential candidates from participating in the process. Colleges in remote locations may be especially interested in considering the benefits of alternative interview options. Such allowances may enable colleges to reach a more diverse group of candidates. While some committee members may fall into the mindset of “if they want the job, they’ll get here,” colleges will benefit from making an effort to interview the candidates that they believe will be the best faculty hires, not simply the candidates who can afford transportation to the campus.

Selecting the Finalists

The selection of finalists for a position can be a stressful proposition for a committee, particularly if a divide exists among the members regarding whom the strongest candidates may be. Committees often fall into the trap of focusing on the way an applicant would fit in with the department, and while a potential hire should indeed be collegial and able to work with others, the needs and interests of students in the program for which the faculty member is being sought must also be considered. A committee should also be cognizant of the implicit bias that can exist when interviewing candidates whose experiences or educational paths may be different from those of the committee members. Relatively new graduates might be more interested in different forms of assessment than those traditionally used in a discipline; such a difference should not automatically preclude these candidates from consideration. The committee should consider a wide range of criteria when determining whom to recommend for final interviews, including the diversification of the department, growth and development of new curriculum, and the overall needs of the students and the college.
Different colleges and college presidents have a varied range of expectations and processes regarding the selection of finalists. At some colleges, the committee members are charged with sending forward only candidates that they are enthusiastic about, even if that means forwarding only one candidate or even no candidates. At other colleges, a minimum number of finalists is expected, and in some cases, a maximum number exists as well. A committee should recognize that in this former case, a failed search might be a more preferable outcome than sending forward unsuitable candidates simply to fulfill a requirement for an expected number of finalists. In addition, while limiting the number of finalists may make sense due to the constraints of a presidential schedule, such limits might also exclude a candidate that could be the best choice for the position.

**Finalist Interviews**

Colleges have a variety of processes for final interviews. In some cases, only the college president, the EEO representative, and the chair of the hiring committee are present in the interviews. At other colleges, the entire committee, or available members of the committee, may be part of the final interview, while in other cases only the president and other administrators are present. Some colleges require a teaching demonstration in the final interview, while others do not. Some presidents prefer a more casual approach to the final interview, almost in the form of a conversation, while others prefer a more traditional scripted interview format. Whichever process a college has chosen to follow, the president must be confident in the candidates that the committee has recommended, and the committee representatives must be able to articulate the reasons that the recommended candidates have been given the opportunity for a final interview. Committees must be able to be honest with a president or with his or her designee regarding the reasons that certain finalists were recommended and others were not, which is why the confidentiality of the processes is essential for all members.

Colleges may also want to consider scheduling alternatives for final interviews. For example, if a college requires that candidates physically travel to the campus for a first interview, the committee may want to schedule the final interviews as close to the first interview as possible so that candidates that are granted a second interview do not have to travel twice, especially if a college is not near an airport or is more remote. Alternatively, giving candidates several weeks to make travel arrangements might result in less expensive plane tickets depending on the destination. These kinds of considerations can assist in the diversification of pools and in bringing greater diversity to a college.

**What Happens If a Search Fails?**

Sometimes, despite the best efforts of a committee, a search fails. A failed search may occur due to a lack of diversity in the pool, an absence of qualified candidates, or other reasons beyond the control of the committee, such as budget cuts or all of the finalists accepting jobs elsewhere. If a search fails, local processes should be followed to determine whether the pool can be reexamined, new candidates can be considered, or other actions can be taken. For example, if a position is posted as “open until filled,” local processes might allow the committee to review all applications that have been submitted since the original closing date.
If a search is deemed to have failed, the committee may want to review the reasons for the failure and determine whether means can be explored by which to avoid these issues in future searches. For example, the search may have been conducted late in the year when the applicant pool was already limited, or similar searches may have been underway at nearby colleges, which might have impacted the overall quantity of applicants. For some colleges, external factors may play a role; for example, if a college is located in an area where costs of living are particularly high, candidates may be hesitant to take a job knowing that affordable housing would be difficult to find. While a committee may be able to do little to mitigate many external factors, the committee might consider ways to communicate these factors to the candidates prior to final interviews in order to ensure that candidates are aware of what to expect.

Other Hiring Processes: Part-Time Hiring

One of the myths about the California community college faculty ranks is that the part-time faculty in the system are more diverse than their full-time counterparts. Recent information from the CCC Chancellor’s Office has demonstrated that this belief is not accurate; however, part-time faculty play an essential role at community colleges and can be the first faculty members that students encounter when beginning at a college. For that reason, the hiring of part-time faculty must be done with rigor akin to that found in the hiring of full-time faculty.

Processes for hiring part-time faculty vary across districts, colleges, and even divisions and departments within an institution. Some colleges have set practices regarding the hiring of part-time faculty, including set interview questions, while others are more casual in their approach. Some colleges require a teaching demonstration, while others do not. While no single effective practice is universal regarding hiring of part-time faculty, consistent policies should be established and followed.

In a multi-college district, an equivalency granted at one college would also be valid at the other colleges in the district, so if a part-time faculty member were granted equivalency and then became full-time, that equivalency could potentially carry implications for the other district colleges in the case of a reduction in force or other action. Because of the variations in some disciplines, especially in areas such as art, physical education, and career technical fields, equivalency should be considered carefully when hiring an individual who does not meet the established minimum qualifications for the particular discipline. For more information on equivalencies, see the ASCCC paper *Equivalency to the Minimum Qualifications* (2016).

Other Hiring Processes: Full-Time Temporary Replacement Faculty

In some cases, a college may choose to hire a full-time temporary replacement faculty member, such as to substitute for someone on parental leave, to fill a critical function in place of someone who takes a leave of absence, or in other situations calling for a short-term, full-time faculty replacement. These positions often have no processes established for filling them, and therefore local academic senates should consider discussing processes prior to their colleges requesting temporary hires. The hiring of full-time temporary faculty can be viewed as another opportunity to diversify the workforce at the college.
Other Hiring Processes: Critical or Emergency Hiring of Full-Time and Part-Time Faculty

Whenever possible, a college should use its regular procedures and timelines for the hiring of full-time and part-time faculty. However, in some instances the need to hire additional faculty falls outside of predictable norms and calendars needed for regular hiring practices to occur. For this reason, hiring procedures should take into account the need for emergency or critical hires for both full-time and part-time faculty members, including what conditions should trigger the process, as well as providing timelines and requirements feasible within shorter time periods.

Emergency hires typically occur when regular hiring procedures are impacted by restrictive timelines due to unanticipated vacancies close to the beginning of a term. Often, these vacancies can mean unstaffed but populated sections of courses. As such, emergency hires may be necessary to serve students, disciplines or departments, and colleges. Some criteria to consider prior to initiating an emergency hiring procedure might include the following:

- The number of viable or populated course sections without an instructor and any impact on student completion and success that would indicate a clear need for additional faculty.
- Whether the vacancy is deemed essential for the viability of the program.
- Whether the vacancy is essential for purposes of accreditation, including external accrediting bodies.
- The amount of time for staffing remaining prior to the term of the identified need.

Generally, for emergency situations, the hiring of part-time faculty is preferable in the absence of specific and compelling circumstances to justify an emergency full-time hire. If, after filling the immediate need with part-time replacements, a full-time faculty member is needed for the long term, the subject area faculty may participate in the next round of considerations for hiring prioritization. If the emergency hiring of a full-time faculty member is necessary, the position should be a full-time temporary position, with the term of service clearly identified, in order to allow this position to be reconsidered at the time of normal hiring prioritization considerations. In all cases, emergency part-time and full-time hires should be required to interview per the college’s regular hiring procedures within a reasonable timeframe after the date of the emergency hire. Emergency hiring procedures should not be used as a method to grow enrollment and college apportionment.

A college or district may choose to have different emergency hire procedures, depending on how much time is available between when the need is identified and when the term begins. For example, a college may choose to identify one streamlined process if fewer than twenty days but more than seven remain before the term and another more truncated process should the number of days be fewer than seven. In these cases, the local academic senate, in joint agreement with administration, should identify what works best for its college, as Education Code does not differentiate between regular hires and emergency hires when mandating consultation with the academic senate. Some items to consider when developing emergency hiring procedures might include the following:
• How a shorter timeline could impact the membership of the hiring committee, especially if hires are to occur during summer or winter breaks when most faculty are off-campus.

• How the membership of the committee is to be selected, including academic senate confirmation, given the potentially compressed timeline.

• How interview materials are to be reviewed, as well as the development of interview questions, teaching demonstrations, and other materials required for interviews.

• Changes to timelines and expectations for reference checks.

• The viability of additional interviews.

**Beyond Hiring: Mentoring and Retaining New Faculty**

The hiring of a new full-time faculty member is a lengthy and time-consuming process that can involve significant expense to the college, including the need for substitutes for faculty that are sitting on committees, clerical and other support from the administration, and similar costs. While a failed search is frustrating, perhaps even worse is hiring a faculty member and then having that new hire leave after a year or two at the college.

In some cases, the departure of a new hire is due to circumstances beyond the control of the college, such as a spousal deployment or other family matter that precludes the new hire from remaining. However, sometimes new hires leave because they do not feel that they have truly found a meaningful or comfortable place at their colleges. Mentoring new faculty is an essential part of the process of retaining new hires, and it is an element in which the faculty should be leaders. Mentoring is outside of the prescribed role of the tenure committee and therefore may be difficult at a college with a limited number of permanent full-time faculty. However, as such mentoring may be one of the most important means by which to retain new hires, colleges should do what they can to provide newly hired faculty with guidance and assistance in navigating a new college system in order to make them comfortable at the college and therefore more comfortable with their positions and their students.

Many colleges have established programs for first-year mentorship that bring together all of the new full-time hires for regular gatherings to discuss college culture, express concerns or frustrations, and receive information that might not be apparent outside of the tenure process. Creating a cohort for the new faculty benefits the new hires, as they see that their experiences are shared and that they are not alone, and it provides the opportunity for the new faculty to interact with senior faculty that they might not otherwise have the chance to meet.

A model mentoring program, from Sacramento City College, is provided in the appendices of this paper and includes a variety of ideas regarding mentoring new faculty. Other programs, such as the one at Foothill College, bring new full time hires together weekly throughout their first year to allow them to hear from a wide range of guest speakers on a variety of topics from student services at the college to various forms of assessment. These types of programs provide the new faculty with a sense of community and may be the first line of defense against losing a new faculty member.
Beyond Hiring: Consideration of Administrative Retreat Rights

An additional factor that may impact a district's hiring procedures, including hiring prioritization, as well as the district's faculty obligation number is administrative retreat rights. Per Education Code §87454 and §87458, under two specific conditions a current administrator may invoke retreat rights to become a faculty member at his or her college, whether as previously tenured faculty or as a new faculty member who has not previously received tenure within the district.

The first condition applies if the administrator was previously a tenured faculty member within the same district and has been continuously employed by that same district. In this instance, the administrator may invoke retreat rights and, in so doing, retain status as a tenured faculty member at that institution. Faculty tend to be aware and supportive of this first condition, as it requires that the retreating administrator successfully navigate the college's hiring and tenure processes prior to assuming an administrative role.

However, the second condition allows for retreat rights of an administrator who has not undergone the college's hiring processes for faculty, thereby disallowing discipline faculty the opportunity to participate in the hiring of a tenure-track peer. Per Education Code §87458, “a person employed in an administrative position that is not part of classified service, whose first day of paid service as a faculty member or administrator is on or after July 1, 1990, who has not previously acquired tenured status as a faculty member in the same district, and who is not under contract in a program or project to perform services conducted under contract with public or private agencies, or in other categorically funded projects of indeterminate duration” does have the right to become a first-year probationary, or tenure-track, faculty member once the administrative assignment expires providing all of the following criteria are met:

1. In mutual agreement with the academic senate, procedure is followed to ensure that the governing board relies primarily upon the advice and judgment of the academic senate to determine that the administrator possesses the minimum qualifications for employment as a faculty member in the appropriate discipline;

2. In mutual agreement with the academic senate, procedure is followed to provide the academic senate with an opportunity to present its views to the governing board before the board makes a determination, and the written record of the board's decision, including the views of the academic senate, is made available for review pursuant to Education Code §87358;

3. The administrator has completed at least two years of satisfactory service in the district, including any time previously served as a faculty member;

4. The termination of the administrative assignment is for any reason other than dismissal for cause; and

5. A first-year, probationary faculty position is available to which the administrator may retreat.
If no currently identified first-year probationary faculty position exists to which the requesting administrator could be appointed at the time of termination, the college is not required to grant the retreat request of the administrator. While this second condition is less commonly exercised, should it occur, the situation may invoke feelings of disenfranchisement for discipline faculty who are appropriately accustomed to having an active voice in the hiring process.

The absence of local procedural language that captures the above requirements can allow a district to follow pre-existing procedures if such procedures exist, tacitly empowering the district with greater latitude for decision-making that may or may not include its academic senate. Therefore, academic senates should be aware of the conditions of each scenario, and colleges should develop corresponding procedural language by mutual agreement prior to any discussion of a previously untenured administrator seeking retreat rights. In this way, academic senates have the opportunity to participate in the development of appropriate procedures without the added weight of faculty discord or feelings of administrative overreach into the hiring and tenure processes.

For these reasons, local academic senates should work with their colleges to mutually agree upon procedures to accommodate each of these conditions and criteria. Development of a procedure should include a timeline for the district to communicate in writing the intent of the non-tenured administrator to invoke retreat rights. Where possible, the timeline should correspond to the ranking of faculty hiring priorities. Moreover, any timeline should be reasonable enough to allow for the senate to provide feedback, ideally prior to the issuance of March 15th notifications, to assure the senate that its feedback is to be considered.

As a part of the retreat request, the district should provide evidence that the administrator meets all of the conditions as required by Education Code §87458. The academic senate should be allowed to review the qualifications of the administrator to ensure they align with the most current edition of Minimum Qualifications for Faculty and Administrators in California Community Colleges. The procedure may also allow the review of the minimum qualifications to include a faculty member from the identified discipline. Best practice would also suggest that the academic senate be provided with the proposed job description to be assumed by the administrator. Where the identified position requires specific expertise, reasonable assurance that the administrator can fulfill assigned faculty duties should be provided by the district.

Based on the information provided, the academic senate should communicate its recommendations to the college president or the governing board. To best equip the academic senate, any procedure to accommodate an administrative retreat request might consider the development of an impact report, as such an appointment will likely have measurable impacts on the hiring prioritization process as well as impacts on subsequent quantitative and qualitative measurements of the affected subject area. In its assessment, the academic senate may also choose to consider additional impact on current full-time and adjunct faculty, the potential for other full-time hires in areas where the need is greater, the fiscal sustainability of the position, any impact on the diversity of teaching faculty, and any potential impact on student success.

When the governing board takes action either to approve or not approve the administrator’s retreat request, the board or its designee must provide to the academic senate in writing an explanation of action taken by the board, with reference to the written record of the decision including the views of the academic senate, pursuant to Education Code §87458.

Recommendations for Hiring Processes and Procedures

1. All campus personnel involved in hiring should be familiar with the CCCCO's *Equal Employment Opportunity and Diversity Best Practices Handbook* (2016) and any subsequent updates from the Chancellor's Office regarding the requirements for use of the EEO measures while hiring.

2. Processes and procedures within colleges and districts should be as consistent as possible and should involve the academic senate in the development and implementation of those processes and procedures, as required by Education Code.

3. Faculty should consider a variety of options in hiring both full-time and part-time faculty in an attempt to diversify the faculty ranks at their colleges. For specific suggestions, see the *Equal Employment Opportunity and Diversity Best Practices Handbook* (2016).

4. In accordance with local policies, hiring committees should be actively involved in as many aspects of faculty hiring as possible, from the creation of the job description to the forwarding of finalists. If committees are not involved in all areas of the hiring process, consideration should be brought to the local academic senate to discuss these processes and determine whether changes should be suggested.

5. Processes for hiring part-time faculty should, to the greatest extent possible, mirror the processes for hiring full-time faculty and should, ideally, be as consistent as possible.

6. Committees should be familiar with the role of equivalency and should exercise caution when recommending equivalency while also recognizing that the granting of equivalency in some cases may result in a more diverse pool of applicants. Equivalency information should be made clear to applicants through information included in the college's application as well as in the job announcement.

7. Local academic senates and faculty should be involved in the district or college Equal Opportunity Committee and any other shared governance groups that are involved in hiring processes for faculty.

Conclusion

The hiring of faculty, both full-time and part-time, is at the heart of the success of the California Community College System and the ultimate success of its students. The involvement of faculty, through the academic senate and hiring committees, is essential to ensuring the strength of the faculty hired at colleges in all positions. As colleges move forward with hiring a new group of faculty, the needs of students should be at the forefront of each hiring decision, and the diversification of the faculty ranks can only serve to benefit students and the colleges that serve them. While hiring processes can be time consuming, they are among the most crucial roles that faculty take on beyond their responsibilities as teachers, counselors, librarians, and coaches. The conclusion of the Fall 2000 paper quoted the great philosopher Baruch Spinoza's *Ethics*, and the quote rings as true for this paper as it did for the one adopted in 2000: “All things worthwhile are as difficult as they are rare.” The hiring of faculty may be difficult, but it is a worthwhile endeavor that will serve to benefit the students in the California Community College System.
APPENDICES

THE FOLLOWING APPENDICES INCLUDE TWO SETS OF INFORMATION. APPENDIX A IS THE DISTRICT CERTIFICATION FORM REGARDING EQUAL EMPLOYMENT OPPORTUNITY FUNDING REQUIREMENTS, CERTIFYING THAT MULTIPLE METHODS ARE BEING USED BY THE COLLEGE OR DISTRICT. APPENDIX B CONTAINS SPECIFIC DISTRICT AND COLLEGE EXAMPLES OF EFFECTIVE PRACTICES AND DOCUMENTS IN HIRING, INCLUDING EMERGENCY HIRES AND MENTORING PROGRAMS.
Appendix A: Equal Employment Opportunity Fund
Multiple Method Allocation Model Certification Form, Fiscal Year 2017-2018

District Name: ____________________________________________________________

DOES THE DISTRICT MEET METHOD #1 (DISTRICT HAS EEO ADVISORY COMMITTEE, EEO PLAN, AND SUBMITTED EXPENDITURE/PERFORMANCE REPORTS FOR PRIOR YEAR) (ALL MANDATORY FOR FUNDING).

☐ Yes

☐ No

The district met at least 6 of the remaining 8 Multiple Methods? (Please mark your answers.)

☐ Yes

☐ No

☐ Method 2 (Board policies and adopted resolutions)

☐ Method 3 (Incentives for hard-to-hire areas/disciplines)

☐ Method 4 (Focused outreach and publications)

☐ Method 5 (Procedures for addressing diversity throughout hiring steps and levels)

☐ Method 6 (Consistent and ongoing training for hiring committees)

☐ Method 7 (Professional development focused on diversity)

☐ Method 8 (Diversity incorporated into criteria for employee evaluation and tenure review)

☐ Method 9 (Grow-Your-Own programs)

☐ I CERTIFY THAT THIS REPORT FORM IS COMPLETE AND ACCURATE. Please attach meeting agenda showing district EEO Advisory Committee’s certification of this report form.

Chair, Equal Employment Opportunity Advisory Committee

Name: ________________________________________________________________

Title: ________________________________________________________________
This form requires districts to report the various activities that they are implementing to promote Equal Employment Opportunity for each of the 9 Multiple Methods.

When providing explanation(s) and evidence of your district's success in implementing the Multiple Methods, please keep narrative to no more than one page per Multiple Method. If you reference an attachment, please ensure it is attached to your submittal.

NINE (9) MULTIPLE METHODS

Mandatory for Funding

1. District’s EEO Advisory Committee, EEO Plan, and submittal of Expenditure/Performance reports for prior year.

Pre-Hiring

2. Board policies & adopted resolutions

3. Incentives for hard-to-hire areas/disciplines
4. Focused outreach and publications

Hiring

5. Procedures for addressing diversity throughout hiring steps and levels

6. Consistent and ongoing training for hiring committees

Post-Hiring

7. Professional development focused on diversity

8. Diversity incorporated into criteria for employee evaluation and tenure review

9. Grow-Your-Own programs

**DOES DISTRICT MEET MULTIPLE METHOD #1 (DISTRICT HAS EEO ADVISORY COMMITTEE, EEO PLAN, AND SUBMITTED EXPENDITURE/PERFORMANCE REPORTS FOR PRIOR YEAR)?**

- Yes
- No

Under the Multiple Method allocation model, districts must minimally have an operational district EEO Advisory Committee, and an updated EEO Plan. Additionally, districts are required to annually report on the use of EEO funds.

- In order to qualify for receipt of the EEO Fund, districts are required to submit a board-adopted EEO plan every three years to the Chancellor's Office. (Title 5, section 53003).

- EEO Plans are considered active for three years from the date of when the district's Board of Trustees approved the plan.

- The districts are required to establish an EEO Advisory Committee to assist in the development and implementation of the EEO Plan. (Title 5, section 53005).

- The districts are required to annually submit a report on the use of Equal Employment Opportunity funds. (Title 5, section 53034).

Please provide an explanation and evidence of meeting this Multiple Method, #1.

To receive funding for this year's allocation amount, districts are also required to meet 6 of the remaining 8 Multiple Methods.
DOES THE DISTRICT MEET METHOD #2 (BOARD POLICIES AND ADOPTED RESOLUTIONS)?

☐ Yes

☐ No

Please provide an explanation and evidence of meeting this Multiple Method, #2.

DOES THE DISTRICT MEET METHOD #3 (INCENTIVES FOR HARD-TO-HIRE AREAS/DISCIPLINES)?

☐ Yes

☐ No

Please provide an explanation and evidence of meeting this Multiple Method, #3.

DOES THE DISTRICT MEET METHOD #4 (FOCUSED OUTREACH AND PUBLICATIONS)?

☐ Yes

☐ No

Please provide an explanation and evidence of meeting this Multiple Method, #4.

DOES THE DISTRICT MEET METHOD #5 (PROCEDURES FOR ADDRESSING DIVERSITY THROUGHOUT HIRING STEPS AND LEVELS)?

☐ Yes

☐ No

Please provide an explanation and evidence of meeting this Multiple Method, #5.

DOES THE DISTRICT MEET METHOD #6 (CONSISTENT AND ONGOING TRAINING FOR HIRING COMMITTEES)?

☐ Yes

☐ No

Please provide an explanation and evidence of meeting this Multiple Method, #6.

DOES THE DISTRICT MEET METHOD #7 (PROFESSIONAL DEVELOPMENT FOCUSED ON DIVERSITY)?

☐ Yes

☐ No
Please provide an explanation and evidence of meeting this Multiple Method, #7.

**DOES THE DISTRICT MEET METHOD #8 (DIVERSITY INCORPORATED INTO CRITERIA FOR EMPLOYEE EVALUATION AND TENURE REVIEW)?**

- [ ] Yes
- [x] No

Please provide an explanation and evidence of meeting this Multiple Method, #8.

**DOES THE DISTRICT MEET METHOD #9 (GROW-YOUR-OWN PROGRAMS)?**

- [ ] Yes
- [ ] No

Please provide an explanation and evidence of meeting this Multiple Method, #9.
Appendix B: Examples of Effective Practices Related to Hiring Processes

SAMPLE HIRING PROCEDURES AND PROCESSES

Faculty Hiring Manual – Lassen Community College

Equity Handbook for Hiring – Los Rios Community College District

Faculty Hiring Manual – Solano Community College (2017)
http://www.solano.edu/academic_senate/1617/SCC%20Hiring%20Guidelinesdraft41217%20MW%2041217.pdf

Specific Highlights from the Above Documents:

Part-time Faculty Hiring Procedures – Lassen College

1. At least once each semester, anticipated new part-time teaching positions will be advertised. Applications for part-time teaching positions may be submitted at any time to the Office of Human Resources.

2. The applications will be forwarded to the Minimum Qualification/Equivalency Committee chair for minimum qualification and/or equivalency review according to the approved policy and procedures. All applications meeting minimum qualifications will be placed in the Part-Time Faculty Applicant Pool.

3. The Division Chairs or Dean of Academic Services will recommend a part-time faculty position to be hired from the Part-Time Faculty Applicant Pool. The Office of Human Resources will be notified when a position will be offered and will complete the employment processes prior to the part-time faculty applicant being placed in the schedule.

4. Coaching positions will undergo a screening/interview process similar to the procedures for hiring permanent positions. Coach committees will be comprised of a coach and a faculty member appointed by the Academic Senate, the Athletic Director, and an educational administrator or representative from Academic Services. By consensus, the Committee will agree upon candidates to invite to an interview. The Committee will present up to three candidates for selection by the President or Dean of Academic Services.

5. Full-time temporary positions will undergo a screening/interview process similar to the procedures for hiring permanent positions. Committees for full-time temporary positions will be comprised of a division chair and a faculty member from the discipline appointed by the Academic Senate, and an educational administrator from the Academic Services. By consensus, the Committee will agree upon candidates to invite to an interview. The Committee will present up to three candidates for selection by the President or Dean of Academic Services.
CCR, Title 5, Section 53021 “Recruitment for part-time faculty positions may be conducted separately for each new opening or by annually establishing a pool of eligible candidates, but in either case full and open recruitment is required consistent with this section.”

**Hiring Practices — Los Rios Community College District**

**About Adjunct Pools:** Los Rios Community College District recruits adjunct professors year-round. Applicants may apply to adjunct pools at any time. Applications are sent to campus when adjunct positions become available and are requested by the campus. Since, adjunct pools are on-going, emails reminding applicants to update their information are sent once a year.

**About Temporary Pools:** This pool of applicants is used by various departments throughout our district to search for applicants interested in working temporarily. Assignments may vary in length and hours of the day, up to 110 days per fiscal year per California Education Code. Temporary pools are generally open for six months. To keep pools up-to-date after six months the Human Resources Department will close the pool and send emails to applicants. Applicants that wish to still be considered will be instructed to re-apply to a NEW posting number.

- Human Resources reviews the diversity of applicant and interview pools for each position/recruitment, and takes appropriate measures if/when concerns occur. Applicant and employee demographics are reviewed annually with the Board of Trustees (Attached are District’s EEO Plan Analysis of Applicant Pools, Plan Component 10: Analysis of District Workforce and Applicant Pool, and P-5121 providing for steps/revew for ensuring diversity in hiring). Per the District’s EEO Plan and Board Regulations/Policies on Hiring Committees (R-5121 and R-5122 attached) each hiring committee member is required to receive required Title 5 Hire Committee training and each committee must include a trained Equity Representative.

- Each classified, faculty and management Los Rios CCD job application (attached) includes a section for applicants to address their experience/background related to diversity and cultural competence.

- Every Los Rios job description across all classifications includes the requirement that the individual demonstrate sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, gender identity, sexual orientation and ethnic backgrounds of community college students (current job advertisements attached).

- The Los Rios CCD Faculty Hiring Manual requires hire committees to include screening and interview criteria on a candidate’s ability/experience with diversity. (Faculty Hiring Manual – Sections VI – A, VI – B, and VII – A).

- All classified, faculty and managerial interviews include at least one question pertaining to diversity. (samples attached).

- Per the Equity Manual on Hiring, applicant pools may not be released for review by hiring committees until both the screening criteria and interview questions have been finalized.
Upon a recommendation for hire, the Equity Representative completes an EEO Checklist (attached), which addresses the District’s commitment to equity, fairness and inclusion/diversity.

**Special Hiring Situations — Lassen Community College**

A. Emergency hiring may be conducted when time factors, special issues, or business necessity warrant immediate appointments as determined by the Superintendent/President.

   i. Emergency hiring may be conducted to fill a short-term “classified” position for no more than sixty (60) days to allow for full and open recruitment.

   ii. Emergency hiring may be conducted to fill a part-time teaching assignment for up to one semester.

   iii. Interim appointment for administrative and managerial assignments may be made for up to one year to fill a vacancy or a new position. When a regular faculty member is appointed to an interim assignment, procedures in Section 7 of the LCFA contract will apply.

B. In-house or promotion only hiring

   i. In-house hiring is permitted when it has been determined that no new position has been created according to Title V regulations. Whenever in-house or promotion only hiring is permitted by law, all qualified internal candidates will be given an opportunity to apply. Qualified internal candidates are regular employees.

   Procedures for classified in-house hiring are in the classified union contract.

**Administrative Retreat Rights — Solano Community College District**

Per EDC 87454 and 87458, there are two conditions wherein a current administrator may invoke retreat rights to faculty:

- Any tenured employee, when assigned from a faculty position, or assigned and special or other type of work, or given special classification or designation, shall retain status as a tenured faculty member.

- A person employed in an administrative position that is not part of classified service, whose first day of paid service as a faculty member or administrator is on or after July 1, 1990, who has not previously acquired tenured status as a faculty member in the same district, and who is not under contract in a program or project to perform services conducted under contract with public or private agencies, or in other categorically funded projects of indeterminate duration, shall have the right to become a first-year probationary faculty member once the administrative assignment expires or is terminated, if all of the following conditions apply:
• In mutual agreement with the senate, procedure is followed to ensure that the governing board relies primarily upon the advice and judgment of the academic senate to determine that the administrator possesses the minimum qualifications for employment as a faculty member.

• In mutual agreement with the senate, procedure is followed to 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 EDC 87358.

• The administrator has completed at least two years of satisfactory service, including any time previously served as a faculty member, in the district.

• The termination of the administrative assignment is for any reason other than dismissal for cause.

• There is an identified, first-year, probationary faculty position available to which the administrator may retreat, as, if there is no currently identified first-year probationary faculty position to which the requesting administrator could be appointed at the time of termination, the College is not required to grant the request of the administrator. (Ref. Wong vs. Ohlone College, No. A109823, 28 March, 2006.)

Procedures for Retreat Rights for Administrators Not Previously Tenured by the District:

• The Superintendent-President or the Vice-President of Human Resources will communicate to the Academic Senate President the intent of the administrator to retreat to a faculty position, as well as evidence that the administrator meets required conditions, when possible, this communication should occur as soon as possible and no later than the end of February of the current academic year to allow for timely input, including at least two bi-monthly meetings of the academic senate, prior to the issuance of March 15th notifications. The proposed job description of the teaching position will be provided as well. Where possible, these procedures should parallel the agreed upon timeline for the ranking of faculty hiring priorities.

• As soon as possible, the Vice-President of Human Resources shall arrange for the Academic Senate President to review the minimum qualifications of the administrator to ensure the qualifications of the administrator align with the most recent iteration of the “Minimum Qualifications for Faculty and Administrators in California Community Colleges,” adopted by the Board of Governors in consultation with the Academic Senate for California Community Colleges. The Academic Senate President may also include an appointee from the identified discipline in the consultation process. Where the identified position requires specific expertise, reasonable assurance the administrator can fulfill assigned faculty duties should be provided by the district. Should the identified administrator not meet the minimum qualifications, there is no equivalency process.

• Once minimum qualifications have been verified, the district, in consultation with the affected discipline and its academic dean, shall provide to the academic senate a revised job description, if relevant, as well as quantitative and qualitative data per the Department Profile and Summary of Projected Need form as outlined in section II.1 of this document.
• The completed Department Profile and Summary of Projected Need form will be provided to the Academic Senate and placed on the agenda by its president as soon as possible for information and discussion.

• The Academic Senate shall base its recommendations to the Board of Trustee using the same criteria it considers in discussing all hiring prioritizations. In addition, the senate shall consider the impact of the position on current adjunct faculty, the potential for other full-time hires in areas where the need is greater, the fiscal sustainability of the position, any impact on the diversity of teaching faculty, and any potential impact on student success.

• At the following meeting, or as soon as possible, the Academic Senate will take action to direct its president to communicate in writing its recommendations to the governing board. The Academic Senate President may also choose to speak to the item at a meeting of the Board of Trustee.

• The Superintendent-President will provide to the Academic Senate an explanation of action taken by the board in writing, to include reference to the written record of the decision, including the views of the Academic Senate, pursuant to EDC 87358.

Mentoring Expectations and Practices – Sacramento City College

• Meet with the mentee several times throughout the first semester

• Share his or her syllabi, and, if possible, copies of syllabi prepared by other faculty.

• Introduce the mentee to colleagues and staff within the department, the division, and at the college.

• Orient the mentee to routine college procedures such as textbook requisition, supply requisition, travel authorizations, forms (e.g., flex obligation form and course availability), duplication requests, parking permits, and key requests.

• Serve as a resource to explain departmental, division, and college practices, culture, and procedures.

• Include the mentee in formal and informal social activities of the department, division, and college.

• Provide assistance in learning new teaching techniques, presentation materials, student involvement.

• Introduce the mentee to the location of important instructional support services.

• Orient the mentees to the location of services available to assist students (transfer center, tutoring services, career center, assessment center, learning disabilities center, and others)

• Help mentee solve problems (curriculum, instruction, or relationships).

• Be accessible, trustworthy, and understanding.

• Visit the mentee's class relatively often and give feedback.
• Encourage mentee to observe the teaching of other faculty.

• Give assistance if grievance issues arise. (See Dean, and or Office of Instruction, Equity Office.)

• Demonstrate professional competence.

• Help new faculty find ways to manage the administrative details of teaching

• Provide information to faculty, including directing them to the “Faculty How To” page at https://www.scc.losrios.edu/facultyhowto/

**Faculty Mentoring Practices at American River College:**
www.arc.losrios.edu/Documents/CTL/facmentor.pdf
MINIMUM QUALIFICATIONS AND EQUIVALENCY

Cheryl Aschenbach, ASCCC North Representative
Rebecca Eikey, ASCCC Area C Representative

Taft College Visit
January 17, 2019
Today, we will discuss…

- Minimum Qualifications
- The Disciplines List
- Equivalency to Minimum Qualifications
- Assigning Courses to Disciplines

Minimum Qualifications are used as the sole basis for faculty hiring.
Required in Accreditation Standards

- ACCJC Standard III.A.1:
  “The institution assures the integrity and quality of its programs and services by employing administrators, faculty and staff who are qualified by appropriate education, training, and experience to provide and support these programs and services.”

- ACCJC Standard III.A.2:
  Faculty qualifications include knowledge of the subject matter and requisite skills for the service to be performed. Factors of qualification include appropriate degrees, professional experience, discipline expertise, level of assignment, teaching skills, scholarly activities, and potential to contribute to the mission of the institution.
Required by Law and Title 5 Regulations

- Education Code §§87350-87359
  “…every person authorized to serve as a community college instructor, librarian, counselor, student personnel worker, supervisor, administrator, or chief administrative officer…shall be deemed to possess the minimum qualifications specified for every discipline or service…. The board of governors shall adopt regulations as necessary to implement ….” §87355

- Title 5 Regulations §53400-53430
  - Degrees and credits generally must be from accredited institutions (§53406)
  - An occupational license or certificate is required in certain instances (§53417)
Disciplines List

• Disciplines List defines the Discipline-specific Minimum Qualifications (MQ)

• Defines the **specific fields** of study and/or **professional experience** to required to teach within a discipline.

• Faculty must meet the MQs for the discipline of the faculty member’s assignment.
Minimum Qualifications (MQ)

**General MQ**
- Master’s degree
- Bachelor’s degree plus two years professional experience,
- Associates’ degree plus six years professional experience,
- Any Degree and professional experience

** Discipline-Specific MQ**
- Humanities - Master’s in Humanities
- Biotechnology - Bachelor’s in biological sciences, chemistry, biochemistry or engineering, and two years of professional experience
What is a Discipline?

• A “discipline” is defined as a grouping of courses that share common academic or vocational preparation, which are typically defined by a degree or degrees (MFA, MA, BA, AS, etc.), and/or specific professional preparation.

• Discipline is from the perspective of **faculty preparation**.
  • What is the necessary preparation to teach courses assigned to that discipline?

• Disciplines are **not**:
  • the same as local departments or subject areas.
  • the local designator, a TOP code, or a FSA.
DISCIPLINES INDEX

This is a comprehensive list of all of the disciplines included in the handbook displayed in alphabetical discipline order. The list identifies the degree and professional experience requirement along with the associated statutory law in California Education Code (CEC) and/or regulation in California Code of Regulations (CCR), title 5 section for each discipline. Reference the Statutory Laws & Regulations section of this handbook for a definition of Occupational and Professional Experience.

<table>
<thead>
<tr>
<th>Discipline and Areas</th>
<th>Master’s Degree</th>
<th>Specific Bachelor’s/Associate’s Degree and Professional Experience</th>
<th>Any Degree and Professional Experience</th>
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<tr>
<td>African American Studies</td>
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</table>
Revisions to the Disciplines List

- Revisions to Discipline List is done **annually**. (Resolution 10.01 F16)
- Through local senate or through professional organization.
- Must have two separate senate districts approve the proposal.
- Must provide evidence to support rationale for change.
- Minimum of two statewide hearings.
- Board of Governors considers the recommendations of the Academic Senate (ASCCC) and formally acts on them.
Are there MQs not in the Disciplines List?

- YES - Established in Title 5 regulations separately from the Disciplines List.
- Specialized MQs defined in other sections of Title 5 for the following faculty:
  - Health services professionals
  - Noncredit instructors
  - DSPS
  - Learning assistance/learning skills/tutoring
  - EOPS
  - Apprenticeship instructors
  - Faculty interns
- Revisions to these disciplines still come through the ASCCC, but the approved proposal then must be incorporated into Title 5.
Local Qualifications May Exceed State Minimum Qualifications.
For a non-master’s discipline, professional experience is required even if the applicant has a master’s degree.

TRUE
A master’s degree is required even if the applicant has a doctorate in the discipline.
Applicant degree titles must match the degree titles in the Disciplines List exactly in order to be hired.

One of two processes can occur---determination of an equivalency to an existing discipline, or proposal of a revision to the Disciplines list, either by proposing a new discipline or adding a degree to an existing discipline.

If districts identify alternate degree titles are equivalent to those in the Disciplines List, then the specific criteria and rationale should be well documented.
Equivalency - Questions to Ponder

Why is equivalency permitted?

What are the benefits of equivalency?
Equivalent to the minimum qualifications means equal to the minimum qualifications, not nearly equal.
Who determines equivalency?

- A district may hire a person who possesses qualifications different from, but equivalent to, those listed on the disciplines list, according to criteria and procedures agreed upon by the governing board and the academic senate (Title 5 §53430).
ASCCC Basic Principles for Granting Equivalency

• Equivalent to the minimum qualifications means equal to the minimum qualifications, not nearly equal.

• The applicant must provide evidence he or she has attained the breadth of coursework or experience equal to the general education component of an earned associate’s or bachelor’s degree.

• The applicant must provide evidence he or she has attained the skills and knowledge provided by specialized coursework required for the degree listed in the Disciplines List.

• For non-master’s disciplines, evidence that the requisite professional experience is equivalent to the required full-time experience required for the discipline.

• Eminence should not be used as the sole criteria for granting equivalence (ASCCC Resolution 10.01 SP09).
Why provide evidence of General Education?

- Faculty members exemplify to their students the value of an education that is both well-rounded and specialized and has consistently defined associate’s degree parameters.

- Faculty should act as models for students by demonstrating a breadth of general education knowledge and a depth of knowledge that is discipline specific.
Local Equivalency Process Required

- Governing boards **may** grant faculty equivalency to the minimum qualifications.

- Every district **must** have an equivalency process, with process, criteria, and standards by which the governing board determines that faculty possess qualifications at least equal to the minimum qualifications (**Ed Code §87359**).

- Once the local equivalency process has determined a recommendation regarding an individual applicant, Education Code §87359(a) **requires** that the governing board take action on the equivalency before hiring occurs.
Local Equivalency Process

• The goal of any equivalency policy should be to ensure the transparent and fair determination of equivalency for applicants that possess qualifications at least equal to the minimum qualifications.

• The process should be documented and justifiable so that a determination of equivalency is understandable, clear, and supported upon review.

• Colleges must also understand that applicants who are granted equivalency and subsequently hired retain that status for their entire career in the district that granted the equivalence.

• Discipline faculty help determine discipline-specific equivalency criteria.
Examples of Equivalency

- Rio Hondo College Equivalency
  - [https://www.riohondo.edu/hr/academic-employee-minimum-qualifications-equivalencies/](https://www.riohondo.edu/hr/academic-employee-minimum-qualifications-equivalencies/)
- College of the Canyons Equivalency
  - [https://www.canyons.edu/Offices/AcademicSenate/Pages/Min%20Quals.aspx](https://www.canyons.edu/Offices/AcademicSenate/Pages/Min%20Quals.aspx)
Conditional or provisional equivalencies can be created as part of the local process.
What are the minimum standards for equivalency?

• A district may hire a person who “possesses qualifications that are at least equivalent to the [state] minimum qualifications.”

• They **cannot be less** rigorous than the state-established MQs.

• A district may establish **additional qualifications** which are more rigorous than the state-established MQs.
Human Resources Offices should not be instrumental in establishing equivalencies.

They should not be instrumental. While they serve an important supportive role – their role should not be the primary role. Equivalency is established between the governing board and faculty.
Single course equivalencies are permitted.
Single Course Equivalency

• Ed Code and Title 5 refer to qualifications in terms of Disciplines not courses or subject areas within a Discipline (Ed Code §87357; Title 5 §53410 and §53430).

• Legal Opinion L 03-28, Chancellor’s Office Legal Division
  • Faculty are hired to teach a discipline, not a course.
Equivalency Committees

• To ensure that the equivalency process is consistent and fair.
• Either a subcommittee of the academic senate or a separate committee whose membership is determined by the academic senate.
• Faculty in the discipline play a critical role in informing the decision.
• Must include faculty from outside the discipline.
Benefits of Breadth of Discipline Faculty on EQ Committee

• The breadth or general education requirements equivalent to an earned degree may be more readily addressed when faculty from other disciplines are involved.

• Committee decisions are easily communicated and the logic and credibility of a specific decision is more easily understood by administrators, external partners or agencies, and future senate leader when more faculty voices are involved.

• Decision-making is more consistent when committee representatives are constant rather than dependent on the discipline and their decisions are made without bias.
Assigning courses to disciplines is not part of the process of equivalency.
Discipline Defines required academic preparation and professional experience for faculty

Assignment of Course to Discipline Defines the MQs needed to teach the course.

Courses What the faculty teach...curriculum!
Assigning Courses to Disciplines

- Local senates maintain responsibility for placing courses in disciplines [Title 5 Regulations §53200(c)(1)].

- All credit & noncredit courses **must** be placed within a discipline or disciplines.

- Not required for community service courses.
Considerations for Discipline Assignment

- Placement should be based on knowledge required to teach the course not based on personnel issues, enrollment or FTES.
- Discipline faculty need to be involved.
- Not all programs or department titles are disciplines.
Options for Assigning Courses

Course assigned to a **single discipline**.
- Example: ENGL 101 assigned to English. The minimum qualifications for English provides adequate preparation to teach the course content.

Course assigned to more than one discipline **with an “or”**
- Example: ARTS 101 assigned to Art or Graphic Design. The minimum qualifications for **either** discipline provide adequate preparation to teach the course content.

Course assigned to more than one discipline **with an “and”**
- HUMA 120 assigned to Humanities and Ethnic Studies. The minimum qualifications for both disciplines **together** provide adequate preparation to teach the course content.
Who’s Teaching?

Single Discipline:
- Faculty who meet minimum qualifications or the locally-determined equivalent for *that discipline* are eligible to teach the course.

More than one discipline with an “or”:
- Faculty who meet minimum qualifications or the locally-determined equivalent in *any of the listed disciplines* are eligible to teach the course.

More than one discipline with an “and”:
- Faculty who meet minimum qualifications or the locally-determined equivalent for *ALL of the listed disciplines* are eligible to teach the course.
Resources


- *Minimum Qualifications for Faculty and Administrators in the California Community Colleges*, Chancellor’s Office (2017)


- *CCCCO Legal Opinion L 03-28* on single-course equivalencies.

- Additional Disciplines List resources, including an archive of past Disciplines Lists are found at [http://asccc.org/disciplines-list](http://asccc.org/disciplines-list).
Questions?

Cheryl Aschenbach - caschenbach@lassencollege.edu
Rebecca Eikey – Rebecca.Eikey@canyons.edu

Thank you!
Dear Colleagues,

Hello! Our names are Professor Mayra Cruz and Professor Silvester Henderson. We are Senate Representatives for the Academic Senate for California Community Colleges. The ASCCC is collectively working to increase Faculty Diversity throughout the entire system. We are writing to each of you to announce the various Faculty Diversity Hiring Regionals taking place this spring. The Regionals are being planned to expand the knowledge and understanding on the diversity of faculty and staff serving on hiring committees. We appreciate your assistance with outreach efforts at your college. The Regionals will be held at Bakersfield College, Yuba College and Norco College during the month of February.

To register, visit:

Please feel free to contact us if you have any question regarding these exciting opportunities. Have a great day!

Warmest Regards,
Professor Mayra Cruz, Area B Representative & Faculty Development Committee Chair
cruzmayra@fhda.edu
Professor Silvester Henderson, ASCCC At-Large Senate Representative & Equity and Diversity Action Committee, Chair
SHenderson@losmedanos.edu
NOTICE OF PROPOSED RULEMAKING
AMENDMENT TO CALIFORNIA CODE OF REGULATIONS, TITLE 5 REGARDING CURRICULUM AND INSTRUCTION

Notice published January 4, 2019

NOTICE IS HEREBY GIVEN that, pursuant to Standing Order 200, the Board of Governors of the California Community Colleges proposes to adopt the regulations described below after considering all comments, objections, or recommendations regarding the proposed action.

PUBLIC HEARING

A public hearing will be held during the next regularly scheduled Board of Governors meeting on January 14-15, 2019, at 1102 Q Street, Sacramento, California. The Board meeting will commence at the hour of 9:00 a.m., or as soon thereafter as the business of the Agency will permit. The room is wheelchair accessible. Other disability-related accommodations such as materials in alternate media, sign language interpreters, or real time transcription will be provided to persons with disabilities upon request. Parking accessible for persons with disabilities is available near the facility. Persons requesting such accommodations should notify Christina Castro, 1102 Q Street, Suite 4500 Sacramento, CA 95811-6549, ccastro@cccco.edu, 916-323-5889, no less than five working days prior to the meeting. The Chancellor’s Office will make efforts to meet requests made after such date, if possible.

At the hearing, any person may present statements or arguments, orally or in writing, relevant to the proposed regulatory action described in the Informative Digest. The Board of Governors requests, but does not require, that persons who make oral comments at the hearing also submit a written summary of their comments. No oral comments will be accepted subsequent to this public hearing.
WRITTEN COMMENT PERIOD

Any interested person may submit written comments relevant to the proposed regulatory action. To help ensure comments are understood as they are intended, we suggest that they clearly identify the proposed regulation that each comment addresses, with reference to specific section and subparagraph numbers where appropriate. Please arrange comments in the same order as the proposed regulation. Comments should be addressed to:

Regulations Coordinator
California Community Colleges
Chancellor’s Office
1102 Q Street, Suite 4550
Sacramento, CA 95811-6549

Comments may also be submitted by facsimile at 916-322-9030 or by email at regcomments@cccco.edu.

Comments must be received by the Regulations Coordinator prior to 4:00 p.m. on February 18, 2019. All written comments received by CCCCO staff during the public comment period are subject to disclosure under the Public Records Act.

CHANGES OR MODIFICATIONS TO PROPOSED TITLE 5 AMENDMENTS

Following the public hearing and considering all timely and relevant comments received, the Board of Governors may adopt the proposed regulations substantially as described in this Notice or may modify the proposed regulations if the modifications are sufficiently related to the original text. With the exception of technical or grammatical changes, the full text of any modified regulation will be available for 15 days prior to its adoption, and will be provided to those persons who have requested or are required to receive notification of regulatory actions, or who have provided written or oral comments relevant to the proposed regulatory action.

AUTHORITY AND REFERENCE

Authority: Education Code sections 66700, 70901

Authority: Government Code section 11138
INFORMATIVE DIGEST

In October of 2017, the California legislature approved AB 705, and the Governor signed the bill into law. Over the past year, the Chancellor’s Office has been working with a variety of key stakeholder groups in order to formulate regulatory changes in title 5 to reflect the inclusion of AB 705 as both curricular and assessment/placement elements. As the bill itself articulates, traditional placement instruments and tests historically “under-place” students into remedial education sequences that often take years to complete. This phenomenon is particularly acute for students of color and students with economic disadvantages. In order to address these inequities, Assembly Member Jacqui Irwin authored AB 705, which requires community colleges to use high school performance as the primary placement tool, as it is a more accurate predictor of student success than other placement tools. The purpose of the law included the following goals: improve the numbers of students who have direct access to transfer-level English and quantitative reasoning/mathematics; increase the numbers of student who complete transfer-level English and quantitative reasoning/mathematics, and decrease the time English as a Second Language (ESL) learners will require to complete transfer-level English. This item only includes regulatory language related to English and quantitative reasoning/mathematics; however, additional regulatory language will be provided at a future date to further align and harmonize other language within title 5 to AB 705.

When AB 705 was signed into law in October of 2017, the Chancellor’s Office immediately created the AB 705 Implementation Advisory Committee in order to create a forum to unpack the language of the legislation and determine pathways toward implementation. This group, comprised of faculty, classified professionals, researchers, administrators, Board of Governors members, Chancellor’s Office staff, and Success Center staff, met for approximately eight months in order to set a timeline for implementation, define key terms, evaluate research, set the default placement rules, and establish a framework for understanding the implications of the bill. The history of the work of this
Committee is available online at the following website: https://assessment.cccco.edu/ab-705-implementation/.

The fundamentals determined by the Advisory Committee provided a basis for a series of guidance memos and Frequently Asked Questions documents co-authored by the Chancellor’s Office and the Academic Senate. Those documents, also available on the web, have stimulated local dialogue about implementation and evaluation efforts throughout the System. The Committee also established a separate advisory group to delineate the implications for ESL instruction and students. Because the law had so many implications on college processes and practices, the Chancellor’s Office determined that beginning with guidance rather than regulation would support ongoing discussion and professional development, as well as provided a basis for future regulation. During this period, the Academic Senate, the Chancellor’s Office, California Acceleration Project, RP Group, and West Ed have all prioritized providing professional learning for key personnel in the colleges about how to locally apply the tenets of the law to improve student success and equitable outcomes. The Chancellor’s Office is also working with researchers to aggregate survey data regarding plans the colleges are making to satisfy the implementation requirements while also building the data infrastructure to provide high school performance information and MIS data collection capabilities to track curricular reforms and concurrent support efforts.

With the implementation date of fall of 2019, the Chancellor’s Office has developed regulatory language that reflects and aligns with the work of the past year. These regulations have had the benefit of feedback from the AB 705 Implementation Advisory Committee, the California Community Colleges Curriculum Committee (5C), and Consultation Counsel. 5C, in particular, made additional efforts to fit the regulations into their review schedule so that they could be ready for the January 2019 Board of Governors meeting. Legal counsel has also reviewed and revised the language, using appropriate input, in order for the language to be prepared for a First Reading.

The language represents not only a team effort among many stakeholders but also the best opportunity the California Community College System has to address inequities that begin at the time of placement and continue throughout students’ college journeys. With AB 705, the colleges have a reasonable opportunity to address stubborn equity gaps that have not been previously
addressed in scalable or significant ways. Since this is a core value in the Vision for Success, AB 705 represents a powerful tool to make progress on those equity goals.

The proposed regulations are presented to the Board of Governors for a first reading and public hearing. The Board of Governors must hold a public hearing for receipt of comments, both written and oral, which are offered concerning the proposed action. It is anticipated that the regulations will be presented to the Board for adoption at its March 18-19, 2019, meeting.

**ESTIMATED COST OR SAVINGS OF PROPOSED AMENDMENTS**

The estimated cost or savings of the proposed amendments are anticipated to be as follows:

Mandate on local agencies or community college districts: *Yes, please see below.*

Cost or savings to state agencies: *None*

Costs to local agencies or community college districts for which reimbursement would be required pursuant to part 7 (commencing with section 17500) of division 4 title 2 of the Government Code: *Yes, please see below.*

Other non-discretionary cost or savings imposed on community college districts: *Yes, please see below.*

Cost or savings in federal funding to state agencies: *None*

The fiscal effects of the adoption of the proposed regulations will not differ from those effects anticipate by the State Legislature, and described in the Senate Appropriations Committee analysis of Assembly Bill 705, which these regulations implement. (Sen. Approps. Com. Rep. on Sen. Bill No. 705 (2016-2017 Reg. Sess.), Aug. 21, 2017.)

Placement activities required by Assembly Bill 705 may impose costs on community college districts that the Commission on State Mandates may determine are reimbursable by the state resulting in current unknown Proposition 98 General Fund costs in the low millions of dollars. Assembly Bill 705 may also require colleges to expand transfer-level courses, and these costs may also be eligible for reimbursement by the state.
CONTACT PERSON

Inquiries concerning the content of these regulations may be directed to:

Alice Perez, Vice Chancellor
California Community Colleges
Chancellor’s Office
1102 Q Street, Suite 4550
Sacramento, CA  95811-6549

Inquiries concerning the regulatory process may be directed to the Regulations Coordinator, at regcomments@cccco.edu.

TEXT OF PROPOSED REGULATIONS AND CORRESPONDING DOCUMENTS

Copies of the exact language of the proposed regulations, and all of the information upon which the proposal is based, may be obtained online at:

Board of Governors Meetings Agenda

or Legal - Regulations.

Those who receive the Board of Governors Agenda package for the January 14-15, 2019 meeting can find a further description of the proposal and the full text of the regulations. You may also request a copy of the proposal from the Regulations Coordinator using the contact information provided above.
ATTACHMENT 1

BOARD OF GOVERNORS OF THE CALIFORNIA COMMUNITY COLLEGES
PROPOSED REVISIONS TO TITLE 5 REGULATIONS:
OF CURRICULUM AND INSTRUCTION

1. Section 55002 of article 1 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55002. Standards and Criteria for Courses.
(a) Degree-Applicable Credit Course. A degree-applicable credit course is a course which has been designated as appropriate to the associate degree in accordance with the requirements of section 55062, and which has been recommended by the college and/or district curriculum committee and approved by the district governing board as a collegiate course meeting the needs of the students.

(1) Curriculum Committee. The college and/or district curriculum committee recommending the course shall be established by the mutual agreement of the college and/or district administration and the academic senate. The committee shall be either a committee of the academic senate or a committee that includes faculty and is otherwise comprised in a way that is mutually agreeable to the college and/or district administration and the academic senate.

(2) Standards for Approval. The college and/or district curriculum committee shall recommend approval of the course for associate degree credit if it meets the following standards:

(A) Grading Policy. The course provides for measurement of student performance in terms of the stated course objectives and culminates in a formal, permanently recorded grade based upon uniform standards in accordance with section 55023. The grade is based on demonstrated proficiency in subject matter and the ability to demonstrate that proficiency, at least in part, by means of essays, or, in courses where the curriculum committee deems them to be appropriate, by problem solving exercises or skills demonstrations by students.

(B) Units. The course grants units of credit in a manner consistent with the provisions of section 55002.5. The course outline of record shall record the total number of hours in each instructional category specified in governing board policy, the total number of expected outside-of-class hours, and the total student learning hours used to calculate the award of credit.
(C) Intensity. The course treats subject matter with a scope and intensity that requires students to study independently outside-of-class time.

(D) Prerequisites and Corequisites. Except as provided in section 55522, when the college and/or district curriculum committee determines, based on a review of the course outline of record, that a student would be highly unlikely to receive a satisfactory grade unless the student has knowledge or skills not taught in the course, then the course shall require prerequisites or corequisites (credit or noncredit) that are established, reviewed, and applied in accordance with the requirements of this article.

(E) Basic Skills Requirements. If success in the course is dependent upon communication or computation skills, then the course shall require, consistent with the provisions of this article, as prerequisites or corequisites eligibility for enrollment in associate degree credit courses in English and/or mathematics, respectively.

(F) Difficulty. The course work calls for critical thinking and the understanding and application of concepts determined by the curriculum committee to be at college level.

(G) Level. The course requires learning skills and a vocabulary that the curriculum committee deems appropriate for a college course.

(3) Course Outline of Record. The course is described in a course outline of record that shall be maintained in the official college files and made available to each instructor. The course outline of record shall specify the unit value, the expected number of contact hours, outside-of-class hours, and total student learning hours for the course as a whole; the prerequisites, corequisites, or advisories on recommended preparation (if any) for the course; the catalog description, objectives, and content in terms of a specific body of knowledge. The course outline of record shall also specify types or provide examples of required reading and writing assignments, other outside-of-class assignments, instructional methodology, and methods of evaluation.

(4) Conduct of Course. Each section of the course is to be taught by a qualified instructor in accordance with a set of objectives and with other specifications defined in the course outline of record.

(5) Repetition. Repeated enrollment is allowed only in accordance with the provisions of article 4 of subchapter 1 of chapter 6 (commencing with section 54040), and section 58161.

(b) Nondegree-Applicable Credit Course. A credit course designated by the governing board as not applicable to the associate degree is a course which, at a minimum, is recommended by the
college and/or district curriculum committee (the committee described and established under subdivision (a)(1) of this section) and is approved by the district governing board.

(1) Types of Courses. Nondegree-applicable credit courses are:

(A) nondegree-applicable basic skills courses as defined in subdivision (u) of section 55000;

(B) courses designed to enable students to succeed in degree-applicable credit courses (including, but not limited to, college orientation and guidance courses, and discipline-specific preparatory courses such as biology, history, or electronics) that integrate basic skills instruction throughout and assign grades partly upon the demonstrated mastery of those skills;

(C) precollegiate career technical preparation courses designed to provide foundation skills for students preparing for entry into degree-applicable credit career technical courses or programs;

(D) essential career technical instruction for which meeting the standards of subdivision (a) is neither necessary nor required.

(2) Standards for Approval. The college and/or district curriculum committee shall recommend approval of the course on the basis of the standards which follow.

(A) Grading Policy. The course provides for measurement of student performance in terms of the stated course objectives and culminates in a formal, permanently recorded grade based upon uniform standards in accordance with section 55023. The grade is based on demonstrated proficiency in the subject matter and the ability to demonstrate that proficiency, at least in part, by means of written expression that may include essays, or, in courses where the curriculum committee deems them to be appropriate, by problem solving exercises or skills demonstrations by students.

(B) Units. The course grants units of credit in a manner consistent with the provisions of section 55002.5. The course outline of record shall record the total number of hours in each instructional category specified in governing board policy, the total number of expected outside-of-class hours, and the total student learning hours used to calculate the award of credit.

(C) Intensity. The course provides instruction in critical thinking and generally treats subject matter with a scope and intensity that prepares students to study independently outside-of-class time and includes reading and writing assignments and homework. In particular, the assignments will be sufficiently rigorous that students successfully
completing each such course, or sequence of required courses, will have acquired the skills necessary to successfully complete degree-applicable work.

(D) Prerequisites and corequisites. When the college and/or district curriculum committee deems appropriate, the course may require prerequisites or corequisites (credit or noncredit) for the course that are established, reviewed, and applied in accordance with this article.

(3) Course Outline of Record. The course is described in a course outline of record that shall be maintained in the official college files and made available to each instructor. The course outline of record shall specify the unit value, the expected number of contact hours, outside-of-class hours, and total student learning hours for the course as a whole; the prerequisites, corequisites, or advisories on recommended preparation (if any) for the course; the catalog description, objectives, and content in terms of a specific body of knowledge. The course outline of record shall also specify types or provide examples of required reading and writing assignments, other outside-of-class assignments, instructional methodology, and methods of evaluation.

(4) Conduct of Course. All sections of the course are to be taught by a qualified instructor in accordance with a set of objectives and with other specifications defined in the course outline of record.

(5) Repetition. Repeated enrollment is allowed only in accordance with the provisions of article 4 of subchapter 1 of chapter 6 (commencing with section 54040), and section 58161.

(c) Noncredit Course. A noncredit course is a course which, at a minimum, is recommended by the college and/or district curriculum committee (the committee described and established under subdivision (a)(1) of this section) and approved by the district governing board as a course meeting the needs of enrolled students.

(1) Standards for Approval. The college and/or district curriculum committee shall recommend approval of the course if the course treats subject matter and uses resource materials, teaching methods, and standards of attendance and achievement that the committee deems appropriate for the enrolled students. In order to be eligible for state apportionment, such courses must be approved by the Chancellor pursuant to article 2 (commencing with section 55150) of subchapter 2 of this chapter and satisfy the requirements of section 58160 and other applicable provisions of chapter 9 (commencing with section 58000) of this division.
(2) Course Outline of Record. The course is described in a course outline of record that shall be maintained in the official college files and made available to each instructor. The course outline of record shall specify the number of contact hours normally required for a student to complete the course, the catalog description, the objectives, contents in terms of a specific body of knowledge, instructional methodology, examples of assignments and/or activities, and methods of evaluation.

(3) Conduct of Course. All sections of the course are to be taught by a qualified instructor in accordance with the set of objectives and other specifications defined in the course outline of record.

(4) Repetition. Repeated enrollment is allowed only in accordance with provisions of article 4 of subchapter 1 of chapter 6 (commencing with section 54040), and section 58161.

(5) Prerequisites and corequisites. When the college and/or district curriculum committee deems appropriate, a noncredit course may serve as a prerequisite or corequisite for a credit course as established, reviewed, and applied in accordance with this article.

(d) Community Services Offering. A community services offering must meet the following minimum requirements:

(1) is approved by the district governing board;

(2) is designed for the physical, mental, moral, economic, or civic development of persons enrolled therein;

(3) provides subject matter content, resource materials, and teaching methods which the district governing board deems appropriate for the enrolled students;

(4) is conducted in accordance with a predetermined strategy or plan;

(5) is open to all members of the community willing to pay fees to cover the cost of the offering; and

(6) may not be claimed for apportionment purposes.

2. Section 55003 of article 1 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55003. Policies for Prerequisites, Corequisites and Advisories on Recommended Preparation.

(a) The governing board of a community college district may establish prerequisites, corequisites, and advisories on recommended preparation, but must do so in accordance with the provisions of this article and subchapter 6, article 1. Nothing in this subchapter shall be construed to require a district to establish prerequisites, corequisites, or advisories on recommended preparation; provided however, that a prerequisite or corequisite shall be required if the course is to be offered for associate degree credit and the curriculum committee finds that the prerequisite or corequisite is necessary pursuant to sections 55002(a)(2)(D) or 55002(a)(2)(E). Unless otherwise specified in this section, the level of scrutiny required to establish prerequisites, corequisites, and advisories on recommended preparation shall be based on content review as defined in subdivision (c) of section 55000 or content review with statistical validation as defined in subdivision (f) of this section. Determinations about prerequisites and corequisites shall be made on a course-by-course or program-by-program basis.

(b) A district governing board choosing to establish prerequisites, corequisites, or advisories on recommended preparation shall, in accordance with the provisions of sections 53200-53204, adopt policies for the following:

(1) the process for establishing prerequisites, corequisites, and advisories on recommended preparation. Such policies shall provide that in order to establish a prerequisite or corequisite, the prerequisite or corequisite must be determined to be necessary and appropriate for achieving the purpose for which it is being established.

(2) procedures to assure that courses for which prerequisites or corequisites are established will be taught in accordance with the course outline of record, particularly those aspects of the course outline that are the basis for justifying the establishment of the prerequisite or corequisite.

(3) the process to ensure that each section of the prerequisite or corequisite is to be taught by a qualified instructor and in accordance with a set of objectives and with other specifications defined in the course outline of record, as required in section 55002 for all courses.

(4) the process, including levels of scrutiny, for reviewing prerequisites and corequisites to assure that they remain necessary and appropriate. These processes shall provide that at least once each six years all prerequisites and corequisites established by the
district shall be reviewed, except that prerequisites and corequisites for vocational courses or programs shall be reviewed every two years. These processes shall also provide for the periodic review of advisories on recommended preparation.

(5) the bases and process for an individual student to challenge the application of a prerequisite or corequisite.

(c) A district governing board choosing to use content review as defined in subdivision (c) of section 55000 to establish prerequisites or corequisites in reading, written expression or mathematics for degree-applicable courses not in a sequence shall first adopt a plan specifying:

(1) the method to be used to identify courses to which prerequisites or corequisites might be applied;

(2) assurance that courses are reasonably available to students when prerequisites or corequisites have been established using content review as defined in subdivision (c) of section 55000. Such assurance shall include sufficient availability of the following:

(A) appropriate courses that do not require prerequisites or corequisites, whether noncredit, credit, basic skills or degree-applicable courses; and

(B) prerequisite or corequisite courses;

(3) provisions for training for the curriculum committee; and

(4) the research to be used to determine the impact of new prerequisites and corequisites based on content review.

(d) Prerequisites or corequisites may be established only for any of the following purposes:

(1) the prerequisite or corequisite is expressly required or expressly authorized by statute or regulation, or expressly required by institutions for which the college has transfer agreements; or

(2) the prerequisite will assure, consistent with section 55002, that a student has the skills, concepts, and/or information that is presupposed in terms of the course or program for which it is being established, such that a student who has not met the prerequisite is highly unlikely to receive a satisfactory grade in the course (or at least one course within the program) for which the prerequisite is being established; or

(3) the corequisite course will assure, consistent with section 55002, that a student acquires the necessary skills, concepts, and/or information, such that a student who has not enrolled in the corequisite is highly unlikely to receive a satisfactory grade in the
course or program for which the corequisite is being established, and if the corequisite course is intended as additional support for students enrolling in transfer-level English or mathematics (or quantitative reasoning) courses, then it must be determined that the corequisite course increases the likelihood that the student will pass the transfer-level course; or

(4) the prerequisite or corequisite is necessary to protect the health or safety of a student or the health or safety of others.

(e) Except as provided in this subdivision, no prerequisite or corequisite may be established or renewed unless it is determined to be necessary and appropriate to achieve the purpose for which it has been established. A prerequisite or corequisite need not be scrutinized using content review as defined by subdivision (c) of section 55000 or content review with statistical validation as defined by subdivision (f) of this section, if:

(1) it is required by statute or regulation;

(2) it is part of a closely-related lecture-laboratory course pairing within a discipline;

(3) it is required by four-year institutions;

(4) baccalaureate institutions will not grant credit for a course unless it has the particular communication or computation skill prerequisite;

(5) it is a corequisite that has been recommended through placement guidelines approved by the Chancellor.

(f) Content review with statistical validation is defined as conducting a content review (as defined in subdivision (c) of section 55000) and the compilation of data according to sound research practices which shows that a student is highly unlikely to succeed in the course unless the student has met the proposed prerequisite or corequisite.

(g) If the curriculum committee, using content review with statistical validation, initially determines, pursuant to section 55002(a)(2)(E), that a new course needs to have a communication or computation skill prerequisite or corequisite, then, despite subdivision (e) of this section, the prerequisite or corequisite may be established for a single period of not more than two years while the research is being conducted and the final determination is being made, provided that all other requirements for establishing the prerequisite or corequisite have been met. The requirements of this subdivision related to collection of data shall not apply when the prerequisite or corequisite is required for enrollment in a program, that program is subject to approval by a state agency other than the Chancellor's Office and both of the following conditions are satisfied:
(1) colleges in at least six different districts have previously satisfied the data collection requirements of this subdivision with respect to the same prerequisite or corequisite for the same program; and

(2) the district establishing the prerequisite or corequisite conducts an evaluation to determine whether the prerequisite or corequisite has a disproportionate impact on particular groups of students described in terms of race, ethnicity, gender, age or disability, as defined by the Chancellor. When there is a disproportionate impact on any such group of students, the district shall, in consultation with the Chancellor, develop and implement a plan setting forth the steps the district will take to correct the disproportionate impact.

(h) Prerequisites, corequisites, and advisories on recommended preparation must be identified in college publications available to students as well as the course outline of any course for which they are established.

(i) By August 1 of each year districts choosing to establish prerequisites, corequisites or advisories shall submit to the Chancellor’s Office in the manner specified by the Chancellor the prerequisites and corequisites that were established during the prior academic year. Districts shall also specify the level of scrutiny, i.e., content review as defined in subdivision (c) of section 55000 or content review with statistical validation as defined in subdivision (e) of this section, used to determine whether the prerequisite or corequisite was necessary and appropriate for achieving the purpose for which it was established.

(j) Prerequisites establishing communication or computational skill requirements may not be established across the entire curriculum unless established on a course-by-course basis.

(k) The determination of whether a student meets a prerequisite shall be based on successful completion of an appropriate course or on an assessment using multiple measures, as required by section 55521(a)(2) 55522. Any assessment instrument shall be selected and used in accordance with the provisions of subchapter 6 (commencing with section 55500) of this chapter.

(l) If a prerequisite requires precollegiate skills in reading, written expression, or mathematics, the district shall:

(1) ensure that courses designed to teach the required skills are offered with reasonable frequency and that the number of sections available is reasonable given the number of students who are required to meet the associated skills prerequisites and who diligently seek enrollment in the prerequisite course.
(2) monitor progress on student equity in accordance with section 54220. Monitoring shall include:

(A) conducting an evaluation to determine the impact on student success including whether the prerequisite or corequisite has a disproportionate impact on particular groups of students described in terms of race, ethnicity, gender, age or disability, as defined by the Chancellor.

(B) where there is a disproportionate impact on any such group of students, the district shall, in consultation within the Chancellor, develop and implement a plan setting forth the steps the district will take to correct the disproportionate impact.

(m) Whenever a corequisite course is established, sufficient sections shall be offered to reasonably accommodate all students who are required to take the corequisite. A corequisite shall be waived as to any student for whom space in the corequisite course is not available.

(n) No exit test may be required to satisfy a prerequisite or corequisite unless it is incorporated into the grading for the prerequisite or corequisite course.

(o) The determination of whether a student meets a prerequisite shall be made prior to his or her enrollment in the course requiring the prerequisite, provided, however, that enrollment may be permitted pending verification that the student has met the prerequisite or corequisite. If the verification shows that the student has failed to meet the prerequisite, the student may be involuntarily dropped from the course. If the student is dropped, the applicable enrollment fees shall be promptly refunded.

Otherwise a student may only be involuntarily removed from a course due to excessive absences or as a result of disciplinary action taken pursuant to law or to the student code of conduct.

(p) Any prerequisite or corequisite may be challenged by a student on one or more of the grounds listed below. The student shall bear the initial burden of showing that grounds exist for the challenge. Challenges shall be resolved in a timely manner and, if the challenge is upheld, the student shall be permitted to enroll in the course or program in question. Grounds for challenge are:

(1) The prerequisite or corequisite has not been established in accordance with the district's process for establishing prerequisites and corequisites;

(2) The prerequisite or corequisite is in violation of this section;
(3) The prerequisite or corequisite is either unlawfully discriminatory or is being applied in an unlawfully discriminatory manner;

(4) The student has the knowledge or ability to succeed in the course or program despite not meeting the prerequisite or corequisite;

(5) The student will be subject to undue delay in attaining the goal of his or her educational plan because the prerequisite or corequisite course has not been made reasonably available; or

(6) Such other grounds for challenge as may be established by the district governing board.

(q) In the case of a challenge under subdivision (p)(3) of this section, the district shall promptly advise the student that he or she may file a formal complaint of unlawful discrimination pursuant to subchapter 5 (commencing with section 59300) of chapter 10 of this division. If the student elects to proceed with the challenge, completion of the challenge procedure shall be deemed to constitute an informal complaint pursuant to section 59327.

(r) District policies adopted pursuant to this section shall be submitted to the Chancellor's Office as part of the district's matriculation plan pursuant to section 55510.


3. Section 55063 of article 6 of subchapter 1 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55063. Minimum Requirements for the Associate Degree.
The governing board of a community college district shall confer the associate degree upon a student who has demonstrated competence in reading, in written expression, and in mathematics, and who has satisfactorily completed at least 60 semester units or 90 quarter units of degree-applicable credit course work (as defined in section 55002(a)) which falls into the categories described in section 55062. A college may also accept toward satisfaction of this requirement courses that were not completed at a California community college that would reasonably be expected to meet or exceed the standards of section 55002(a).

Effective for all students admitted to a community college for the Fall 2019 term or any term thereafter, competence in written expression shall be demonstrated by obtaining
a satisfactory grade in an English course at the level of the course typically known as Freshman Composition (either Freshman Composition or another English course at the same level and with the same rigor, approved locally) or by completing an assessment conducted pursuant to subchapter 6 of this chapter (commencing with section 55500) demonstrating competency and achieving a score determined to be that is comparable to satisfactory completion of the specified English course, determined locally. Satisfactory completion of an English course at the level of Freshman Composition shall satisfy both this competency requirement and the coursework requirement set forth in subdivision (b)(1)(D)(i) of this section.

Effective for all students admitted to a community college for the Fall 2019 term or any term thereafter, competence in mathematics shall be demonstrated by obtaining a satisfactory grade in a mathematics course at or above the level of the course typically known as Intermediate Algebra (either Intermediate Algebra or another mathematics course at or above the same level, with the same rigor and with Elementary Algebra as a prerequisite, approved locally) or by completing an assessment conducted pursuant to subchapter 6 of this chapter (commencing with section 55500) demonstrating competency and achieving a score determined to be that is comparable to satisfactory completion of the specified a mathematics course at or above the level of the course typically known as Intermediate Algebra, determined locally. Satisfactory completion of a mathematics course at or above the level of Intermediate Algebra shall satisfy both this competency requirement and the coursework requirement set forth in subdivision (b)(1)(D)(ii) of this section.

The competency requirements for written expression and mathematics may also be met by obtaining a satisfactory grade in courses in English and mathematics taught in or on behalf of other departments and disciplines, and which, as determined by the local governing board, require entrance skills at a level equivalent to those necessary for Freshman Composition and Intermediate Algebra respectively. Requirements for demonstrating competency in reading shall be locally determined.

The required 60 semester or 90 quarter units of course work must be fulfilled in a curriculum accepted toward the degree by a college within the district (as shown in its catalog). It must include at least 18 semester or 27 quarter units in general education and at least 18 semester or 27 quarter units in a major or area of emphasis as prescribed in this section. Of the total required units, at least 12 semester or 18 quarter units must be completed in residence at the college granting the degree. Exceptions to residence requirements for the associate degree may be made by the governing board when it determines that an injustice or undue hardship would be placed on the student.
(a) Requirements for a major or area of emphasis.

(1) At least 18 semester or 27 quarter units of study must be taken in a single discipline or related disciplines, as listed in the community colleges “Taxonomy of Programs,” or in an area of emphasis involving lower division coursework which prepares students for a field of study or for a specific major at the University of California or the California State University.

(2) Effective for all students admitted to a community college for the Fall 2009 term or any term thereafter, each course counted toward the unit requirement of this subdivision must be completed with a grade of C or better or a “P” if the course is taken on a “pass-no pass” basis.

(b) General Education Requirements.

(1) Students receiving an associate degree shall complete a minimum of 18 semester or 27 quarter units of general education coursework which includes a minimum of three semester or four quarter units in each of the areas specified in paragraphs (A), (B) and (C) and the same minimum in each part of paragraph (D). The remainder of the unit requirement is also to be selected from among these four divisions of learning or as determined by local option:

(A) Natural Sciences. Courses in the natural sciences are those which examine the physical universe, its life forms, and its natural phenomena. To satisfy the general education requirement in natural sciences, a course shall be designed to help the student develop an appreciation and understanding of the scientific method, and encourage an understanding of the relationships between science and other human activities. This category would include introductory or integrative courses in astronomy, biology, chemistry, general physical science, geology, meteorology, oceanography, physical geography, physical anthropology, physics and other scientific disciplines.

(B) Social and Behavioral Sciences. Courses in the social and behavioral sciences are those which focus on people as members of society. To satisfy the general education requirement in social and behavioral sciences, a course shall be designed to develop an awareness of the method of inquiry used by the social and behavioral sciences. It shall be designed to stimulate critical thinking about the ways people act and have acted in response to their societies and should promote appreciation of how societies and social subgroups operate. This category would include introductory or integrative survey courses in cultural
anthropology, cultural geography, economics, history, political science, psychology, sociology and related disciplines.

(C) Humanities. Courses in the humanities are those which study the cultural activities and artistic expressions of human beings. To satisfy the general education requirement in the humanities, a course shall be designed to help the student develop an awareness of the ways in which people throughout the ages and in different cultures have responded to themselves and the world around them in artistic and cultural creation and help the student develop aesthetic understanding and an ability to make value judgments. Such courses could include introductory or integrative courses in the arts, foreign languages, literature, philosophy, and religion.

(D) Language and Rationality. Courses in language and rationality are those which develop for the student the principles and applications of language toward logical thought, clear and precise expression and critical evaluation of communication in whatever symbol system the student uses. Such courses include:

(i) English Composition. Courses fulfilling the written composition requirement shall be designed to include both expository and argumentative writing. Such courses may be taught in disciplines such as, but not limited to, English and English as a Second Language.

(ii) Communication and Analytical Thinking. Courses fulfilling the communication and analytical thinking requirement include including, but not limited to oral communication, mathematics, and quantitative reasoning such as logic, statistics, computer languages and programming, and related disciplines.

(2) Ethnic Studies will be offered in at least one of the areas required by subdivision (1).

(c) While a course might satisfy more than one general education requirement, it may not be counted more than once for these purposes. A course may be used to satisfy both a general education requirement and a major or area of emphasis requirement. Whether it may be counted again for a different degree requirement is a matter for each college to determine. Students may use the same course to meet a general education requirement for the associate degree and to partially satisfy a general education requirement at the California State University or University of California, if such course is accepted by that system to satisfy a general education requirement.
(d) For the purpose of this section, “satisfactorily completed” means either credit earned on a “pass-no pass” basis or a grade point average of 2.0 of C or better in California community college credit courses in the curriculum upon which the degree is based. For a course from another accredited institution, “satisfactorily completed” may mean a grade of C- or better, provided that course and grade is accepted by that institution as “satisfactorily completed”.


4. Section 55500 of article 1 of subchapter 6 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55500. Scope and Intent.

(a) This chapter implements and should be read in conjunction with the provisions of the Seymour-Campbell Student Success Act of 2012, codified as Education Code sections 78210, et seq., which recognizes that student success is the responsibility of the institution and student, supported by well-coordinated and evidence based student and instructional services to foster academic success. The purpose of this subchapter is to implement the Student Success and Support Program to increase California community college student access and success through the provision of core matriculation services, including orientation, assessment and placement, counseling, advising, and other education planning services, with the goal of providing students with the support services necessary to assist them in achieving their education goal and identified course of study.

(b) The requirements of this subchapter apply only to districts receiving funds pursuant to Education Code section 78216-78222 for the period of time during which such funds are received.


5. Section 55522 of article 3 of subchapter 6 of chapter 6 of division 6 of title 5 of the California Code of Regulations is amended to read:

§ 55522. English and Mathematics Placement and Assessment.
(a) **Scope and intent.**

(1) For students with a goal of transfer to a four-year institution, increase the number of students who enter and complete transfer-level English and mathematics (or quantitative reasoning) within one-year;

(2) For students with a goal of earning a certificate or a local associate degree, increase the number of students who enter and complete transfer-level or the required college-level English and mathematics (or quantitative reasoning) within one-year;

(3) Minimize disproportionate impacts on students caused by traditional placement practices.

(b) **Placement Data**

(1) Districts shall use all available high school performance data as the primary means for placement in English and mathematics (or quantitative reasoning). Such data includes the following elements:

(A) High school coursework;

(B) High school grades;

(C) High school grade point average; and

(D) High school equivalency exams approved by the California Department of Education or equivalent exams from other states.

(2) If high school performance data is unavailable from student transcripts or electronic data sources, districts must accept self-reported high school performance data.

(c) **Placement Methods**

(1) Districts shall use a placement method for English and mathematics (or quantitative reasoning) identified below:

(A) Any Chancellor’s Office placement method published by the Chancellor’s Office to implement Education Code section 78213.

(B) A district placement method based upon localized research using high school performance data, including self-reported high school performance data.
(i) A district placement method using localized research may utilize multiple measures to increase a student’s placement recommendation, but may not lower it, and must allow high performance on one measure to offset low performance on other measures.

(ii) A district placement method using localized research must be supported by data and research showing throughput rates at or above those achieved by direct placement into a transfer-level course (or college-level courses where appropriate). Such data and research must be validated within two years of adoption of the method. The Chancellor shall regularly publish throughput rates achieved by direct placement into transfer-level courses (or college-level courses where appropriate), based upon the best available research at the time of publication.

(C) A district placement method may be based upon guided placement, including self-placement, if a student’s high school performance data is not available or usable with reasonable effort. District placement methods based upon guided placement, including self-placement, shall not:

(i) incorporate sample problems or assignments, assessment instruments, or tests, including those designed for skill assessment, unless approved by the Chancellor; or

(ii) request students to solve problems, answer curricular questions, present demonstrations/examples of course work designed to show knowledge or mastery of prerequisite skills, or demonstrate skills through tests or surveys.

(2) Placement methods authorized by this section shall be designed to maximize the probability that students will enter and complete transfer-level coursework in English, mathematics (or quantitative reasoning) within one year. Placement methods shall not authorize placement of students into a remedial sequence or pre-transfer coursework in English or mathematics (or quantitative reasoning) unless:

(A) the student is highly unlikely to succeed in the transfer-level course; and

(B) enrollment in pre-transfer-level coursework will improve the student’s likelihood of completing transfer-level courses in one-year.

(3) Districts adopting a district placement method under subparagraph (c)(1)(B) or (c)(1)(C) shall, by July 1, 2019, provide an adoption plan on a form prescribed by the Chancellor, explaining the placement method and why the district believes it will be effective. Within two years of the adoption of a district placement method, the district shall report to the Chancellor on the method’s efficacy. The Chancellor may order the
district to relinquish the district placement method and adopt a placement method published by the Chancellor’s Office under any of the following circumstances:

(A) the district’s failure to report within two years of adoption;

(B) the district’s failure to demonstrate that the local placement method meets or exceeds the throughput rate of a placement method published by the Chancellor’s Office.

(4) Districts shall provide new placement recommendations for students placed into pretransfer-level English, mathematics (or quantitative reasoning) courses prior to July 1, 2019, in compliance with this section. Districts shall disclose their plans to implement retroactive placement recommendations as part of the adoption plan described in subparagraph (c)(3).

(5) Any placement for the fall semester or quarter of 2019 must comply with this section and California Education Code section 78213.

(Ad) Assessment

The Chancellor shall establish and update, at least annually, a list of the approved assessment tests and instruments for use in placing students in English, mathematics (or quantitative reasoning), or English as a Second Language (ESL) courses and guidelines for their use by community college districts. When using an English, mathematics (or quantitative reasoning), or ESL assessment test for placement, it must be used with one or more other measures to comprise multiple measures.

(1) Districts and colleges are required to use the Chancellor’s guidelines for the validation of all assessment tests used for placement to ensure that they minimize or eliminate cultural or linguistic bias and are being used in a valid manner. Based on this evaluation, the district or college shall determine whether any assessment test, method, or procedure has a disproportionate impact on particular groups of students, as defined by the Chancellor. When there is a disproportionate impact on any such group of students, the district or college shall, in consultation with the Chancellor, develop and implement a plan setting forth the steps the district will take to correct the disproportionate impact.

(2) The Chancellor may identify other measures of a student’s college readiness that community college districts may use for student placement into the college’s curriculum.
(be) Each community college district utilizing approved assessment tests or instruments shall adopt procedures that are clearly communicated to students, regarding the college's sample test preparation, how the student test results will be used to inform placement decisions, and the district's limits on the student's ability to re-test.

(cf) Community college districts shall not, except as provided in subdivision (dg), do any of the following:

(1) use an assessment test for placement which has not been approved by the Chancellor pursuant to section 55522, except that the Chancellor may permit limited field-testing, under specified conditions, of new or alternative assessment tests;

(2) use any assessment test in a manner or for a purpose other than that for which it was developed or has been otherwise validated;

(3) use any assessment test process to exclude any person from admission to a college, except that a college may determine the admission of special part-time or full-time students under Education Code section 76002 based on an assessment which involves multiple measures and complies with other requirements of this subchapter; or

(4) use any assessment test, method, or procedure to exclude students from any particular course or educational program, except that districts may establish appropriate prerequisites pursuant to sections 55002 and 55003; or

(5) use any Student Success and Support Program practice which has the purpose or effect of subjecting any person to unlawful discrimination prohibited by subchapter 5 (commencing with section 59300) of chapter 10.

(dg) Notwithstanding the provisions of subdivision (cf)(1) and (2), assessment tests approved by the Secretary of the United States Department of Education may be used to determine “ability to benefit” in the process of establishing a student's eligibility for federal financial aid pursuant to title 20 United States Code section 1091(d).

(eh) Notwithstanding paragraphs (1), (2), (3) or (5) of subdivision (cf) or the provisions of sections 55003 or 55522, a community college district may use an assessment test to select students for its nursing program, provided that:

(1) the district complies with all other provisions of this subchapter;

(2) the assessment test or other measures are used in conjunction with other assessment test, methods, or procedures to select students for enrollment in the nursing program; and
(3) the Chancellor has determined that the assessment test predicts likelihood of success in nursing programs, has approved use of the assessment test for that purpose and has established statewide proficiency cut-off scores for that test pursuant to Education Code section 78261.

(i) Colleges or districts that receive funding from the Student Equity and Achievement Program shall do the following pursuant to Education Code section 78213:

(1) Inform students of their rights, pursuant to Education Code section 78213, to access transfer-level coursework in English, mathematics (or quantitative reasoning), credit English as a Second Language and of the multiple measures placement policies or other college placement processes including the availability of challenge processes;

(2) Include information about the student’s course placement options in the college catalog, in orientation and advisement materials, on the college’s website, and in any written communication by counseling services;

(3) Annually report all of the following to the Chancellor’s Office in a manner and form described by the Chancellor’s Office:

(A) The college’s placement results. Colleges shall include the number of students assessed and the number of students placed into transfer-level coursework, transfer-level coursework with concurrent support, or transfer-level or credit English as a Second Language coursework, disaggregated by race and ethnicity; and

(B) For students placed in stand-alone English or mathematics pretransfer-level coursework, colleges shall provide, based on local placement research, an explanation of how effective practices align with the regulations adopted pursuant to Section 78213.

(4) Publicly post the college’s placement results. Colleges shall include the number of students assessed and the number of students placed into transfer-level coursework, transfer-level coursework with concurrent support, or transfer-level or credit English as a Second Language coursework, disaggregated by race and ethnicity.

(j) The Chancellor shall provide districts with notice and an opportunity to cure actions found to be out of compliance with this section. The Chancellor may use any means authorized by law to obtain compliance in the event of a failure or refusal to cure.

Note: Authority cited: Section 11138, Government Code; and Sections 66700 and 70901, Education Code. Reference: Section 11135, Government Code; and Sections 72011, 76002, 78211, 78212, 78213 and 78261, Education Code.
ATTACHMENT 2

SUMMARY AND ANALYSIS OF PROPOSED REVISIONS TO TITLE 5 REGULATIONS
OF CURRICULUM AND INSTRUCTION – SECTIONS 55002, 55003, 55063, 55500, & 55522

§ 55002 - SUMMARY AND ANALYSIS OF PROPOSED CHANGES TO TITLE 5 REGULATIONS

General
Section 55002 set the standards and criteria for courses, including prerequisite and corequisite courses. These proposed changes include technical modifications for consistency with other amendments to the placement and assessment regulations.

§ 55002(a)(2)(D)
Added “Except as provided in section 55522” to indicate that this section only applies to courses that are not considered English and Mathematics courses.

Added “(credit or noncredit)” to clarify that this section applies to both credit and noncredit prerequisites or corequisites.

(D) Prerequisites and Corequisites. Except as provided in section 55522, when the college and/or district curriculum committee determines, based on a review of the course outline of record, that a student would be highly unlikely to receive a satisfactory grade unless the student has knowledge or skills not taught in the course, then the course shall require prerequisites or corequisites (credit or noncredit) that are established, reviewed, and applied in accordance with the requirements of this article.

§ 55002(b)(2)(D)
Added “(credit or noncredit)” to clarify that this section applies to both credit and noncredit prerequisites or corequisites.

(D) Prerequisites and corequisites. When the college and/or district curriculum committee deems appropriate, the course may require prerequisites or corequisites (credit or noncredit) for the course that are established, reviewed, and applied in accordance with this article.

§ 55002(c)(5)
Added subdivision (c)(5) to authorize colleges and/or district curriculum committees to include noncredit courses as a prerequisite or corequisite for a credit course.
(5) Prerequisites and corequisites. When the college and/or district curriculum committee deems appropriate, a noncredit course may serve as a prerequisite or corequisite for a credit course as established, reviewed, and applied in accordance with this article.

§ 55003 - SUMMARY AND ANALYSIS OF PROPOSED CHANGES TO TITLE 5 REGULATIONS

General

The proposed changes authorize districts to create policies for prerequisite and corequisite courses in connection with amendments to the placement and assessment regulations.

§ 55003(a)

Added “and subchapter 6, article 1” to indicate that in establishing policies on prerequisites and corequisites, districts must comply with the entire article.

(a) The governing board of a community college district may establish prerequisites, corequisites, and advisories on recommended preparation, but must do so in accordance with the provisions of this article and subchapter 6, article 1. Nothing in this subchapter shall be construed to require a district to establish prerequisites, corequisites, or advisories on recommended preparation; provided however, that a prerequisite or corequisite shall be required if the course is to be offered for associate degree credit and the curriculum committee finds that the prerequisite or corequisite is necessary pursuant to sections 55002(a)(2)(D) or 55002(a)(2)(E). Unless otherwise specified in this section, the level of scrutiny required to establish prerequisites, corequisites, and advisories on recommended preparation shall be based on content review as defined in subdivision (c) of section 55000 or content review with statistical validation as defined in subdivision (f) of this section. Determinations about prerequisites and corequisites shall be made on a course-by-course or program-by-program basis.

§ 55003(c)

§ 55003(c)(1) - Added “[or corequisites]” to clarify that this section applies to both prerequisites or corequisites.

§ 55003(c)(2)(A) - Added “[noncredit, credit]” to clarify that this section applies to noncredit and credit courses as well.

§ 55003(c)(4) - Added “[and corequisites]” to clarify that this section applies to prerequisites and corequisites.
(c) A district governing board choosing to use content review as defined in subdivision (c) of section 55000 to establish prerequisites or corequisites in reading, written expression or mathematics for degree-applicable courses not in a sequence shall first adopt a plan specifying:

(1) the method to be used to identify courses to which prerequisites or corequisites might be applied;

(2) assurance that courses are reasonably available to students when prerequisites or corequisites have been established using content review as defined in subdivision (c) of section 55000. Such assurance shall include sufficient availability of the following:

(A) appropriate courses that do not require prerequisites or corequisites, whether noncredit, credit, basic skills or degree-applicable courses; and

(B) prerequisite or corequisite courses;

(3) provisions for training for the curriculum committee; and

(4) the research to be used to determine the impact of new prerequisites and corequisites based on content review.

§ 55003(d)
§ 55003(d)(1) - Added “(or expressly required by institutions for which the college has transfer agreements)” to authorize colleges to establish prerequisites or corequisites to fulfill transfer agreements with other educational institutions.

§ 55003(d)(3) - Added “(, and if the corequisite course is intended as additional support for students enrolling in transfer-level English or mathematics and quantitative reasoning courses, then it must be determined that the corequisite course increases the likelihood that the student will pass the transfer-level course)” to conform with the intent and amendments to the placement and assessment regulations.

(d) Prerequisites or corequisites may be established only for any of the following purposes:

(1) the prerequisite or corequisite is expressly required or expressly authorized by statute or regulation, or expressly required by institutions for which the college has transfer agreements; or

(2) the prerequisite will assure, consistent with section 55002, that a student has the skills, concepts, and/or information that is presupposed in terms of the course or program for which it is being established, such that a student who has not met the prerequisite is highly unlikely to receive a satisfactory grade in the course (or at least one course within the program) for which the prerequisite is being established; or

(3) the corequisite course will assure, consistent with section 55002, that a student acquires the necessary skills, concepts, and/or information, such that a student who has not enrolled in the corequisite is highly unlikely to receive a satisfactory grade in the course or program for which the corequisite is being established, and if the corequisite course is intended as additional support for
students enrolling in transfer-level English or mathematics and quantitative reasoning courses, then it must be determined that the corequisite course increases the likelihood that the student will pass the transfer-level course; or

(4) the prerequisite or corequisite is necessary to protect the health or safety of a student or the health or safety of others.

§ 55003(e)

§ 55003(e)(1)-(4) – added and deleted “or” for consistency.

§ 55003(e)(5) - Added “it is a corequisite that has been recommended through placement guidelines approved by the chancellor” as an additional option under new placement guidelines.

(e) Except as provided in this subdivision, no prerequisite or corequisite may be established or renewed unless it is determined to be necessary and appropriate to achieve the purpose for which it has been established. A prerequisite or corequisite need not be scrutinized using content review as defined by subdivision (c) of section 55000 or content review with statistical validation as defined by subdivision (f) of this section, if:

(1) it is required by statute or regulation; or

(2) it is part of a closely-related lecture-laboratory course pairing within a discipline; or

(3) it is required by four-year institutions; or

(4) baccalaureate institutions will not grant credit for a course unless it has the particular communication or computation skill prerequisite; or

(5) it is a corequisite that has been recommended through placement guidelines approved by the Chancellor.

§ 55063 - SUMMARY AND ANALYSIS OF PROPOSED CHANGES TO TITLE 5 REGULATIONS

General

The California Community College Curriculum Committee (5C) proposed amendments to section 55063. The amendments are clean-up language for consistency with the current changes under Assembly Bill 705.
§ 55500 - SUMMARY AND ANALYSIS OF PROPOSED CHANGES TO TITLE 5 REGULATIONS

General

The proposed changes to section 55500(b) provide clarity on funding under the Student Success and Support Program (“SSSP”) and consistency with the newly established Student Equity and Achievement Program (“SEA Program”) under Education Code section 78222.

Recent legislation defunded the SSSP program and established the SEA Program. The proposed changes to 55500(b) reflect this change and requires districts receiving funds under the newly-created SEA Program to comply with the proposed amendments.

§ 55522 - SUMMARY AND ANALYSIS OF PROPOSED CHANGES TO TITLE 5 REGULATIONS

General

Assembly Bill 705 (“AB 705”) amended California Education Code section 78213 to require community college districts to maximize the probability that a student will enter and complete transfer-level coursework in English and mathematics (or quantitative reasoning) within a one-year time frame. Education Code section 78213, subdivision (d)(1)(E) authorizes the Board of Governors to establish regulations to ensure that the measures, instruments, and placement models achieve the intent and spirit of AB 705.

The proposed changes to section 55522 are intended to further the purposes of AB 705 and to assist college and districts in achieving compliance with the law.

§ 55522(a) – Scope and Intent

Added 55522(a) to reflect the scope and intent of AB 705.

§ 55522(b) – Placement Data

Added 55522(b) to establish regulations related to the data available to districts for use in placing students in English and mathematics (or quantitative reasoning) course, consistent with AB 705. Section 55522(b) requires districts to use certain high school data for placement and authorizes the use of self-reported high school performance data under certain circumstances.

§ 55522(c) – Placement Methods

Added 55522(c) to establish placement methods contemplated by AB 705, and to underscore the Legislature’s intent to focus placement efforts on the use of data.
Section 55522(c)(1) authorizes the use of the following three placement methods: (A) the Chancellor’s Office placement method, (B) the district’s placement method based upon localized research, and (C) the district’s placement method based upon guided placement.

Section 55522(c)(2) requires that authorized placement methods fulfill the intent of AB 705 and prohibits placing students into remedial courses except under certain circumstances.

Section 55522(c)(3) requires that districts using their own placement methods must report to the Chancellor to ensure compliance with the requirements of AB 705 and these amended regulations.

Section 55522(c)(4) indicates that AB 705 and these proposed regulations apply retroactively to students currently placed in pre-transfer level courses, and requires Districts to implement retroactive placement.

Section 55522(c)(5) requires districts to begin complying with AB 705 and these proposed regulations by Fall or quarter in 2019.

§ 55522(d)
Amended 55522(a) to 55522(d) for consistency.

Added “and instruments” and “[or quantitative reasoning)” for clarity and consistency with the proposed amendments on approved assessment tests or instruments.

§ 55522(e)
Amended 55522(b) to 55522(e) for consistency.

Added “utilizing approved assessment tests or instruments” for clarity and to remain consistent with the proposed amendments on approved assessment tests or instruments.

§ 55522(f)
Amended 55522(c) to 55522(f) for consistency.

Amended “subdivision (d)” to “subdivision (g)” for accuracy in cross-referencing to an amended subdivision.

§ 55522(g)
Amended 55522(d) to 55522(g) for consistency.

Amended “subdivision (c)” to “subdivision (f)” for accuracy in cross-referencing to an amended subdivision.
§ 5522(h)
Amended 5522(e) to 5522(h) for consistency.
Amended “subdivision (c)” to “subdivision (f)” for accuracy in cross-referencing to an amended subdivision.

§ 5522(i)
Proposed subdivision (i) to tie requirements of Assembly Bill 705 (amending Education Code section 78213) to receipt of Student Equity and Achievement Program funds.

§ 5522(j)
Proposed subdivision (j) as an enforcement mechanism for the Chancellor to enforce the proposed AB 705 regulations.