



Administrative Procedure
Chapter 7 – Human Resources

**AP 7211 FACULTY SERVICE AREAS, MINIMUM QUALIFICATIONS,
AND EQUIVALENCIES**

References:

Education Code Sections 87001, 87003, and 87743.2;

Title 5 Sections 53400 et seq.;

Minimum Qualifications for Faculty and Administrators in California Community Colleges; 2017 Handbook

ACCJC Accreditation Standard III.A.2-4

Napa Valley Community College District and Napa Valley College Faculty Association/CCA/CTA/NEA Agreement 2017-2020. Article 18

Faculty Service Areas

Faculty Service Areas (FSA) are defined as a service or instructional subject area or group of related services or instructional service areas performed by faculty and established by a community college district.

Faculty service areas shall be established after negotiation and consultation as required by law with the appropriate faculty representatives.

For more information please reference the Napa College Faculty Association Agreement, Article 18.

The above red ink is the wording that exists in AR 7210 which is being combined with AR 7211 regarding Faculty Service Areas. I added the blue for clarity.

Minimum Qualifications

Faculty shall meet minimum qualifications established by the Board of Governors, or shall possess qualifications that are at least equivalent to the minimum qualifications set out in the regulations of the Board of Governors.

~~All academic personnel must meet minimum qualifications as set forth in the Board of Governor's Discipline Lists and Title 5.~~

~~For purposes of employment, Napa Valley Community College District recognizes only associate, baccalaureate, and higher level degrees from accredited U.S. institutions or from foreign institutions whose degrees are judged to be equivalent.~~

~~U.S. institutions of higher education must be accredited by one of the six regional accrediting associations: Middle States Association of Colleges and Schools, New England Association of Schools and Colleges, North Central Association of Colleges and Schools, Northwest Association of Schools and Colleges, Southern Association of Colleges and Schools, or Western Association of Schools and Colleges.~~

~~Foreign transcripts must be evaluated by one of the organizations approved by the State of California, Commission on Teacher Credentialing.~~

~~Administrative Regulation 7211 (formerly Policy H4446) establishing the equivalency procedure shall be applied to applicants who request an equivalency of the minimum qualifications established by the Board of Governors and Title 5.~~

Equivalencies

Equivalence to Minimum Qualifications for Academic Personnel

I.—Introduction

All academic personnel must meet minimum qualifications as set forth in the Board of Governor's (BOG) Disciplines List and in Title 5 of the California Code of Regulations. Districts are authorized to establish local policies and practices for determining equivalence to the minimum qualifications.

~~These~~ **This Administrative Regulations procedure** establishes criteria and ~~procedures~~ processes for the application of equivalencies to the minimum qualifications established in ~~Administrative Regulations 7210.XX Minimum Qualifications and Faculty Service Areas (formerly Board Policy H4445)~~ the section above titled "Minimum Qualifications". The standards and practices set forth in ~~these Regulations~~ **this procedure** shall be applied to determine the qualification for hire of candidates for credit or noncredit assignments who state they possess education, training, and/or experience at least equivalent to the minimum qualifications established by Title 5.

II.—Purpose **Introduction**

The Napa Valley Community College District (NVCCD) has established hiring procedures and guidelines that provide for academic personnel who:

- Are highly qualified;

- Are expert in their subject and administrative areas;
- Are skilled in teaching and serving the needs of a diverse student population;
- Can foster overall college effectiveness; and
- Are sensitive to the diversity of the adult population of the state of California.

The Board of Trustees, represented by the Administration, has the principal legal and public responsibility for ensuring an effective hiring process. The faculty, represented by the Academic Senate, has ~~an inherent professional responsibility in the development and implementation of policies and procedures governing the hiring process, which is to ensure the quality of its faculty peers.~~ [a professional responsibility to develop and implement policies and procedures governing the hiring process in order to ensure the quality of its faculty peers.](#) Essential to fulfill these responsibilities are the standards and practices to determine when an applicant for a faculty position, though lacking the exact degree or experience specified in the BOG Disciplines List and in Title 5 as minimum qualifications, nevertheless does possess qualifications that are at least equivalent, to allow consideration of the applicant as part of the applicant pool.

[These standards are explained to potential candidates in the “REQUEST FOR EQUIVALENCY REVIEW FOR FACULTY POSITION” worksheet provided to applicants.](#)

~~III. Equivalency Review Team~~ Equivalency Review Team

An Equivalency Review Team (ERT) consisting of the following members shall conduct determination of Equivalency to Minimum Qualifications for Service:

- First Vice President of the Academic Senate or Chair of the Faculty Standards and Practices Committee
- Faculty Member from the discipline for which a candidate is applying for equivalence
- Division Chair or Dean of the related division
- ~~One additional member of the Faculty Standards and Practices Committee~~

The ERT may consult with the Administrative Assistant to the Office of Instruction.

~~IV. Standards~~ Standards

The granting of equivalency is on a case-by-case basis. Equivalency may be achieved by course work, work experience, or a combination thereof. Equivalency may never mean lesser qualifications than the published minimum qualifications.

A candidate who claims equivalent qualifications shall be responsible for providing conclusive evidence, as clear and reliable as the college transcripts being

submitted by the other candidates, that she/he has qualifications at least equivalent to those required by the minimum qualifications. The candidate shall also be available for interview or examination, if requested. All material provided shall remain in the individual's applicant file or personnel file.

Under no circumstances is the granting of equivalency to the minimum qualifications to be construed as a determination that a candidate shall or shall not be interviewed or hired. Once granted equivalency, the candidate shall be placed in a pool of qualified applicants, any number of whom may be considered for a given position. Applicants granted equivalency and subsequently hired, whether on a full or part-time basis, maintain that status for their entire career in the Napa Valley Community College District.

Each district establishes its own equivalency process, and equivalency is not transferable from district to district. Therefore, when academic personnel apply for a position in another district, they may need to go through that district's equivalency process.

Minimum qualifications, and therefore equivalencies, are determined for disciplines, not for subject areas or courses within a discipline. An applicant is either qualified to teach a full range of courses in a discipline or not, regardless of whether applying for a full- or part-time position.

~~V. Qualifications~~ **Qualifications**

Refer to the Handbook: [Minimum Qualifications for Faculty and Administrators in California Community Colleges \(2017\)](#) for an overview of minimum qualifications for specific disciplines.

Napa Valley College expects that some candidates may meet the minimum qualifications through the equivalency process. Candidates who have completed all the appropriate coursework for a particular degree but do not possess the specific degree named on in the BOG-Chancellor's Office Disciplines List may possess equivalent qualification, which may be in the form of academic coursework and/or degrees, work experience, or a combination thereof. An applicant making such a claim must provide conclusive evidence of meeting the requirements stated below.

Faculty hiring falls into two categories as identified by the BOG Disciplines List:

- *Disciplines Requiring a Master's Degree*
- *Disciplines in Which a Master's Degree is Not Generally Expected or Available*, which require any bachelor's degree and two years of experience or any associate's degree and six years of experience.

I. Equivalence to Academic Degrees

To establish equivalence to the academic degree requirements for either category above, the candidate must possess at least the equivalent in level of achievement and in breadth, depth of understanding, and rigor for each of the following as separate and distinct criteria:

- A broad cultural education, usually met by the General Education requirement for any bachelor's or associate's degree.
- A detailed study of the discipline in breadth, depth, and rigor, usually met by course work required for the degree major.

A candidate must provide conclusive evidence of fulfilling both criteria above to be considered to possess the equivalent of the degree in question. The following criteria shall be applied to determine equivalence:

1. Formal Education Equivalent to the Master's Degree:

- a. Master's degree in a related discipline as identified in the BOG Disciplines List or approved by the Equivalency Review Team, including 15 semester units of graduate and upper division course work within the discipline specified in the job announcement, at least 12 of which must be at the graduate level.
- b. Bachelor's degree in the discipline of hire or a related discipline as identified in the BOG Discipline's List or approved by the Equivalency Review Team, plus 30 additional semester units of upper division or graduate course work in the discipline specified in the job announcement, 12 of which are at the graduate level and the remainder at the upper division level or higher.

2. Formal Education Equivalent to the Bachelor's Degree:

At least 120 semester units, including 18 semester units representing a diversity of courses generally accepted as general education and, for disciplines that require a master's degree, 30 units in the discipline specified by the job announcement, of which 24 are upper-division or graduate units.

3. Formal Education Equivalent to the Associate's Degree:

At least 60 semester units, including 18 semester units representing a diversity of courses generally accepted as general education.

II. Equivalence to Work Experience

To establish equivalence to the experience required for disciplines in which a Master's degree is not generally expected or available (either a two-year minimum with a bachelor's degree or a six-year minimum with an associate's degree), possession of thorough and broad knowledge for each of the following as separate and distinct criteria:

- Mastery of the skills of the vocation thorough enough to teach the courses assigned to the discipline,

and
- Extensive and diverse knowledge of the working environment of the vocation.

A candidate must present conclusive evidence of fulfilling both criteria above to be considered to possess the equivalent of the experience in question.

VI. Evidence

It is the candidate's responsibility to request equivalency at the time she/he submits the application and to provide conclusive evidence that she/he possesses qualifications at least equivalent to those required. The conclusive evidence must be as clear and reliable as college transcripts submitted by other candidates.

Conclusive evidence for general education, major, or experience requirements shall be one or more of the following:

- A. Transcript(s) demonstrating that the applicant successfully completed appropriate courses at a regionally accredited college or equivalent foreign institution whose accredited status is recognized by the District.
- B. Publications demonstrating the applicant's command of the major in question, his/her general education, or his/her writing skill.
- C. Other products that show the applicant's command of the major or occupation in question.
- D. Skills demonstration or verifiable evidence of the applicant's professional performance, professional and/or public recognition, professional presentations, computer software development or applications, or related training.
- E. Verification of the applicant's employment history for professional or occupational work experience.

VII. Process

Screening of applications shall occur in accordance with the District hiring policy mutually agreed upon by the Academic Senate and Board of Trustees. The Equivalency Review Team shall screen all applications requesting qualification through equivalency.

The Equivalency Review Team shall review applications requesting equivalency or referred to equivalency review in accordance with the standards and qualifications set forth in ~~these regulations~~ [this procedure](#). Applications that are determined to meet the standards for equivalence to minimum qualifications shall be included for full consideration by the appropriate hiring committee. Applications determined to not meet equivalence to minimum qualifications by the Equivalency Review Team will not be included in the applicant pool.

VIII. Noncredit Applications

Applications requesting equivalency for non-credit applicants shall be reviewed and approved by the Office of Instruction.

IX. Emergencies

The Napa Valley College hiring policies define hiring emergencies and establish standards and practices for emergency hiring. Emergency hires requesting or requiring equivalency review will adhere to the same process outlined in this document. If the nature of the emergency does not allow for the full equivalency review process, the VPI and the President of the Academic Senate or designee can mutually agree to review the applicant's file and grant equivalency for a period not exceeding one semester, if applicant meets all criteria for equivalency. Equivalencies granted under this emergency clause must be re-reviewed through the regular equivalency process before applicant may be offered further assignments.

X. Faculty Seeking to Serve in an Additional Discipline

Faculty already employed under a contract may acquire new assignments only if they meet the requirements specified in the BOG Disciplines List, possess qualifications that are at least equivalent to those specified in the BOG Disciplines List, or possess an appropriate credential. Those who believe that, although they lack both the specified qualifications and an appropriate credential, they do possess the equivalent shall be subject to the process described above, except that the process shall begin when a faculty member submits a request together with the conclusive evidence required of candidates for hire as indicated above. The process delineated above shall be used to review the application to serve in

an additional discipline and determine whether the applicant meets the equivalency requirements.

This process resolves only whether the applicant has the equivalent of the minimum qualifications, not whether she/he may be assigned to a new discipline.

XI. Interpretation

This policy and its standards and procedures shall be interpreted to be consistent with applicable provisions of the Education Code and Title 5 of the California Code of Regulations.

XII. Review and Revision

This policy and its standards and procedures are subject to review and revision at the request of the Academic Senate or the Board of Trustees. Changes to these procedures shall be determined by mutual agreement of the Board of Trustees (or designee) and the Academic Senate, consistent with Napa Valley College's shared participatory governance policy ([see BP/AR 2510 Participation in Local Decision-Making](#)) and with California law pertaining to ~~shared~~ participatory governance.

[Also see BP/AP 3410 Nondiscrimination, BP/AP 3420 Equal Employment Opportunity, BP/AP 7120 Recruitment and Hiring, BP/AP 7210 Academic Employees, and AP 7212 Temporary Faculty.](#)

NOTE: The **red ink** signifies language that is **legally required** and recommended by the Policy & Procedure Service and its legal counsel (Liebert Cassidy Whitmore). The Policy & Procedure Service added the reference to the Accreditation Standard III.A.2-4 in April 2015. The language in **black ink** is from current Napa Valley College AR 7210 Minimum Qualifications & Faculty Service Areas adopted on 2/14/91 and revised on 5/18/00, 2/15/15, and 5/27/15 as well as current Napa Valley College AR 7211 Equivalence to Minimum Qualifications for Academic Personnel adopted on 5/27/15. The language in **blue ink** is included for consideration. The language in **yellow highlighting** is included to draw the reviewers' attention, and this language will be removed upon final document approval.

Approved: 2/14/91 (for AR 7210) and
5/27/15 (for AR 7211)

Revised: 5/18/00 (for AR 7210), 2/15/15 (for
AR 7210), 5/27/15 (for AR 7210),

(Replaces NVC AR 7210 and AP 7211)

Legal Citations for AP 7211

Education Code Sections 87001, 87003, and 87743.2

87001. (a) "Academic employee" refers to a person employed by a community college district in an academic position.

(b) "Academic position" includes every type of service, excluding paraprofessional service, for which minimum qualifications have been established by the board of governors pursuant to Section 87356.

(c) Wherever in this code or any other code, the term "certificated employee" or any similar term is used in reference to community college employees, it shall be deemed a reference to academic employees of the community colleges.

(d) Wherever in this code or any other code, the phrase "position requiring certification qualifications," or any similar phrase is used in reference to positions in the community colleges, it shall be deemed a reference to academic positions in the community colleges. Nothing in this part shall be construed as repealing or negating any provisions in this code or any other code concerning employees of community college districts for purposes of retirement benefits under the State Teachers' Retirement System by referring to those employees as academic employees.

87003. (a) "Faculty" or "faculty member" means those employees of a community college district who are employed in academic positions that are not designated as supervisory or management for the purposes of Chapter 10.7 (commencing with Section 3540) of Division 4 of Title 1 of the Government Code and for which minimum qualifications for service have been established by the board of governors adopted pursuant to subparagraph (B) of paragraph (1) of subdivision (b) of Section 70901 or subdivision (a) of Section 87356. Faculty include, but are not limited to, instructors, librarians, counselors, community college health services professionals, handicapped student programs and services professionals, extended opportunity programs and services professionals, and individuals employed to perform a service that, before July 1, 1990, required nonsupervisory, nonmanagement community college certification qualifications.

(b) Any employees who are employed in faculty positions but who perform supervisory, management, or other duties related to college governance shall not, because of the performance of those incidental duties, be deemed supervisors or managers, as those terms are defined in Section 3540.1 of the Government Code. The incidental "supervisory" or "management" duties referred to in this subdivision include, but are not limited to, serving as a faculty member on hiring, selection, promotion, evaluation, budget development, or

affirmative action committees, or making effective recommendations in connection with those activities.

87743.2. Not later than July 1, 1990, each community college district shall establish faculty service areas. The establishment of faculty service areas shall be within the scope of meeting and negotiating pursuant to Section 3543.2 of the Government Code. The exclusive representative shall consult with the academic senate in developing its proposals.

Title 5 Sections 53400 et seq.

Cal. Admin. Code tit. 5, s 53400

BARCLAYS OFFICIAL CALIFORNIA CODE OF REGULATIONS
TITLE 5. EDUCATION
DIVISION 6. CALIFORNIA COMMUNITY COLLEGES
CHAPTER 4. EMPLOYEES
SUBCHAPTER 4. MINIMUM QUALIFICATIONS
ARTICLE 1. SCOPE AND DEFINITIONS

s 53400. Scope.

This Subchapter implements and should be read in conjunction with the requirements of Education Code Sections 87001, 87002, 87003, 87356 and 87359 concerning minimum qualifications for community college faculty and administrators. The provisions of this subchapter are effective July 1, 1990.

Note: Authority cited: Sections 66700, 70901, 87001, 87356 and 87359, Education Code.
Reference: Sections 87001, 87002, 87003, 87356 and 87359, Education Code.

5 CCR § 53401

Cal. Admin. Code tit. 5, § 53401

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§ 53401. Applicability to Community Services and Contract Classes.

Community service or contract classes which do not award college credit and are not supported by state apportionment are not subject to the provisions of this Subchapter. Contract classes which award college credit are subject to this Subchapter, even if they are not supported by

state apportionment.

Note: Authority cited: Sections 70901(b)(1)(B) and 87356, Education Code. Reference: Sections 70901(b)(1)(B), 78020 through 78023 and 78300, Education Code.

5 CCR § 53402
Cal. Admin. Code tit. 5, § 53402

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§ 53402. Definitions.

(a) "Administrator" means any person employed by the governing board of a district in a supervisory or management position as defined in Article 5 (commencing with Section 3540) of Chapter 10.7 of Division 4 of Title 1 of the Government Code.

(b) "Educational administrator" means an administrator who is employed in an academic position designated by the governing board of the district as having direct responsibility for supervising the operation of or formulating policy regarding the instructional or student services program of the college or district. Educational administrators include, but are not limited to, chancellors, presidents, and other supervisory or management employees designated by the governing board as educational administrators.

(c) "Faculty" or "faculty member" means those employees of a district who are employed in academic positions that are not designated as supervisory or management for the purposes of Article 5 (commencing with Section 3540) of Chapter 10.7 of Division 4 of Title 1 of the Government Code and for which minimum qualifications for service are specified in Section 53410-53414 or other provisions of this division. Faculty include, but are not limited to, instructors, librarians, counselors, community college health service professionals, disabled student programs and services professionals, extended opportunity programs and services professionals, and individuals employed to perform a service that, before July 1, 1990, required nonsupervisory, nonmanagement community college certification qualifications.

Note: Authority cited: Sections 66700, 70901 and 87001, Education Code. Reference: Sections 87001, 87002 and 87003, Education Code.

5 CCR § 53403
Cal. Admin. Code tit. 5, § 53403

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§ 53403. Applicability of Amendments.

Notwithstanding changes that may be made to the minimum qualifications established in this division, or to the implementing discipline lists adopted by the Board of Governors, the governing board of a community college district may continue to employ a person to teach in a discipline or render a service subject to minimum qualifications, if he or she, at the time of initial hire by the district, was qualified to teach in that discipline or render that service under the minimum qualifications or disciplines lists then in effect.

Note: Authority cited: Sections 70901(b)(1)(B) and 87356, Education Code. Reference: Sections 70901(b)(1)(B) and 87356, Education Code.

5 CCR § 53404
Cal. Admin. Code tit. 5, § 53404

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§ 53404. Definition of Experience.

Where years of professional or occupational experience are referred to in this Subchapter, the requirement is for the stated number of years of full-time experience or the equivalent in part-time experience. Unpaid experience may be counted if it entailed responsibilities substantially similar to those of relevant paid positions in the field. Applicants bear the responsibility for verifying all experience by documentation satisfactory to the districts.

As used in this Subchapter, "professional experience" includes teaching experience.

"Occupational experience" does not include teaching experience.

As used in this Section, "year" means that period of time which in that occupation is accepted by contract or general agreement as a regular work year for that occupation on a full-time basis.

Note: Authority cited: Sections 70901 and 87356, Education Code. Reference: Sections 70901(b)(1)(B) and 87356, Education Code.

5 CCR § 53405
Cal. Admin. Code tit. 5, § 53405

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§ 53405. Certificated Employees.

Whenever in this Division, reference is made to "certificated employees" or to employees in "positions with certification qualifications," where such references are to certificates or credentials issued by the Board of Governors, these references are deemed to also apply to persons employed by districts pursuant to minimum qualifications established pursuant to Subchapter 4 of this Division.

Note: Authority cited: Sections 66700 and 70901, Education Code. Reference: Section 70901, Education Code.

5 CCR § 53406
Cal. Admin. Code tit. 5, § 53406

TITLE 5. EDUCATION
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SUBCHAPTER 4. MINIMUM QUALIFICATIONS
ARTICLE 1. SCOPE AND DEFINITIONS

§ 53406. Requirement for Accredited Degrees and Units; Definition of Accredited Institution.

All degrees and units used to satisfy minimum qualifications shall be from accredited institutions, unless otherwise specified in this Article.

For purposes of this Subchapter, "accredited institution" shall mean a postsecondary institution accredited by an accreditation agency recognized by either the U.S. Department of Education or the Council on Postsecondary Accreditation. It shall not mean an institution "approved" by the California Department of Education or by the California Council for Private Postsecondary and Vocational Education.

Determination of equivalency of foreign degrees shall be according to district rule.

Note: Authority cited: Sections 70901 and 87356, Education Code. Reference: Sections 70901(b)(1)(B) and 87356, Education Code.

5 CCR § 53407
Cal. Admin. Code tit. 5, § 53407

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§ 53407. Disciplines Lists.

(a) The Board of Governors hereby adopts and incorporates by reference into this provision the

two lists published by the Chancellor's Office, entitled "Disciplines Requiring the Master's Degree" and "Disciplines in which the Master's Degree is not Generally Expected or Available," as adopted by the Board at its September 2005 meeting, for the following purposes:

(1) to establish a working definition of the term "discipline" as used in section 53410;

(2) to define which disciplines are "reasonably related" to one another, for purposes of section 53410;

(3) to define disciplines in which the master's degree is not generally expected or available, as opposed to those for which the master's degree is required, for purposes of section 53410.

(b) Revisions after September 2005 to the two lists referenced in subdivision (a) shall be considered incorporated by reference into this provision when they have been adopted by the Board.

Note: Authority cited: Sections 70901, 87356 and 87357, Education Code. Reference: Sections 70901(b)(1)(B), 87356 and 87357, Education Code.