

Minimum Qualifications for Faculty and Administrators in California Community Colleges



**Chancellor's Office
California Community Colleges**

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Staff Development and Minimum Qualifications/
Credentials Unit
Chancellor's Office
California Community Colleges
1107 Ninth Street
Sacramento, California 95814

This compilation was prepared by the
Staff Development and Minimum Qualifications/Credentials Unit
under the following direction:

Dr. María Sheehan, Vice Chancellor
Human Resources

Allan Petersen, Dean
Staff Development and Minimum Qualifications/Credentials

Charlie Klein, Specialist
Minimum Qualifications and Employment Issues

Requests for additional copies may be directed to Judy Frith, Office Assistant, (916) 445-2392. Comments or questions about the document may be directed to Charlie Klein, (916) 445-4236.

The Academic Senate for California Community Colleges, which has primary responsibility for making recommendations on minimum qualifications for faculty, provided the basic text of the disciplines lists included in this document. Grateful acknowledgement is made for the help of Evelyn Weiss, chair of the Senate's Standards and Practices Committee, and Judy Cias, the Senate's Office Assistant.

NOTE: This edition includes "Recent Amendments to Minimum Qualifications Regulations" on page 37. These amendments have not yet been incorporated into the official printed text of Title 5; be sure to consult those pages for the latest applicable wording.

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Introduction

This document provides statutes from the *California Education Code*, regulations from Title 5 of the *California Code of Regulations*, and actions of the Board of Governors of the California Community Colleges relating to statewide minimum qualifications for faculty and administrators, designed to replace the system of credentials that was in force until June 30, 1990.

The relevant sections of the *California Education Code* were adopted by the Legislature in September 1988 as part of AB 1725, the community college reform bill. Amendments were made by a number of subsequent bills, including AB 2155 and SB 1590 of 1989, and SB 2298 of 1990.

Implementing regulations were adopted into Title 5 by the Board of Governors in July 1989. In July 1990, the Board adopted additional regulations dealing with apprenticeship instruction, Disabled Students Programs and Services (DSP&S), and Extended Opportunity Programs and Services (EOPS) qualifications. An interim regulation on minimum qualifications for noncredit faculty was also adopted with a July 1991 expiration date. (At its May 1991 meeting, the Board extended the expiration date of this section to July 1992 and delegated authority to the Chancellor to develop the text of noncredit minimum qualifications to take effect on July 1, 1992.)

The Board of Governors has also acted to adopt a list of disciplines that are reasonably related to one another for purposes of minimum qualifications, and a list of disciplines in which the master's degree is not generally expected or available. Both lists were prepared by the Academic Senate for California Community Colleges and adopted without change by the Board in July 1989. Revisions and additions to these two lists were adopted by the Board, on the advice of the Senate, in November 1990 and May 1991.

The Staff Development and Minimum Qualifications/Credentials Unit, in the Chancellor's Office, is presently compiling a list of issues and questions, and a review of minimum qualifications will be undertaken in 1992. The Academic Senate also regularly considers, through its own processes, changes it may wish to recommend to the Board of Governors for the disciplines lists.

The texts used here of the statutes and regulations are current at the time of printing. Updates will be provided from time to time.

Education Code Sections on Minimum Qualifications

California Education Code Part 51, Chapter 2.5

CHAPTER 2.5 QUALIFICATIONS FOR COMMUNITY COLLEGE PERSONNEL

| Article | Section |
|---|---------|
| 1. General Provisions | 87350 |
| 2. Minimum Qualifications and Hiring Criteria | 87355 |
| 3. Hiring Criteria | 87360 |

Delayed implementation of addition of this Chapter by Stats.1988, c. 973, § 28, see Historical Note under § 84750.

ARTICLE 1. GENERAL PROVISIONS

Section

87350. Plan for new mechanism of faculty qualifications; inclusions.
87351. Minimum qualifications for service; operative date.

§ 87350. Plan for new mechanism of faculty qualifications; inclusions

The plan for a new mechanism of faculty qualifications being developed by the Chancellor of the California Community Colleges pursuant to Chapter 1465 of the Statutes of 1986 shall include all of the following:

(a) A transition provision which would grandfather existing bargaining unit definitions.

(b) Consideration of projected California demographics.

(c) Consideration of affirmative action policies and programs.
(Added by Stats.1988, c. 973, § 28.)

Delayed implementation of addition of this section, see Historical Note under § 84750.

§ 87351. Minimum qualifications for service; operative date

The minimum qualifications for service prescribed by this chapter shall become operative on July 1, 1990. *(Added by Stats.1990, c. 1302 (S.B.2298), § 31, eff. Sept. 25, 1990.)*

ARTICLE 2. MINIMUM QUALIFICATIONS AND HIRING CRITERIA

Section

87355. Repealed.

87355.5. Fees for issuance and renewal of teaching credentials and fingerprint investigative check; duration of section.

87356. Faculty teaching members; librarians; counselors; administrators; extended opportunity or disabled student workers; apprenticeship instructors; supervisors of health; physicians; psychologists; social workers; dentists; dental hygienists; nurses; optometrists; audiometrists; state-mandated local program cost.

87357. Minimum qualifications; establishment and maintenance; "discipline"; definition and recommendations.

87358. Review of districts' application of minimum qualifications.

Section

87359. Employment of faculty and administrators not meeting applicable minimum qualifications; process.

87359.5. Review of job relevance requirements; time.

§ 87355. Persons authorized to serve under credential; possession of minimum qualifications; regulations

Notwithstanding Section 87356, every person authorized to serve as a community college instructor, librarian, counselor, student personnel worker, supervisor, administrator, or chief administrative officer under a credential shall retain the right to serve under the terms of that credential, and, for that purpose, shall be deemed to possess the minimum qualifications specified for every discipline or service covered by the credential until the expiration of that credential. The board of governors shall adopt regulations as necessary to implement this requirement. (Added by Stats.1989, c. 1340, § 7, eff. Oct. 2, 1989.)

Delayed implementation of addition of Chapter 2.5 by Stats.1988, c. 973, § 28, see Historical Note under § 84750.

Former § 87355 was repealed by Stats.1989, c. 1340, § 6.

§ 87355.5. Repealed by Stats.1989, c. 1340, § 8, operative July 1, 1990

§ 87356. Faculty teaching members; librarians; counselors; administrators; extended opportunity or disabled student workers; apprenticeship instructors; supervisors of health; physicians; psychologists; social workers; dentists; dental hygienists; nurses; optometrists; audiometrists; state-mandated local program cost

(a) The board of governors shall adopt regulations to establish and maintain the minimum qualifications for service as a faculty member teaching credit instruction, a faculty member teaching noncredit instruction, a librarian, a counselor, an educational administrator, an extended opportunity programs and services worker, a disabled students programs and services worker, an apprenticeship instructor, and as a supervisor of health.

(b) Unless and until amended by the board of governors, the regulations shall establish the minimum qualifications for service as a supervisor of health as the following:

(1) The qualifications for a physician employed to serve on a halftime or greater than halftime basis shall be a valid certificate to practice medicine and surgery issued by the State Board of Medical Examiners or Board of Osteopathic Examiners.

(2) The qualifications for a physician employed for less than halftime shall be a valid certificate to practice medicine and surgery issued by the State Board of Medical Examiners.

(3) The qualifications for a psychologist or social worker shall be a valid certificate issued by the appropriate California agency authorized by law to certify these persons.

(4) The qualifications for a dentist shall be a valid certificate issued by the Board of Dental Examiners of California.

(5) The qualifications for a dental hygienist shall be a valid certificate issued by the Board of Dental Examiners of California.

(6) The qualifications for a nurse shall be a valid certificate of registration issued by the Board of Nurse Examiners of the State of California or the California Board of Nursing Education and Nurse Registration.

(7) The qualifications for an optometrist shall be a valid certificate issued by the State Board of Optometry.

(8) The qualifications for an audiometrist working under the direction of health services personnel shall be a valid certificate

or license issued by, or valid registration with, the California state agency authorized to issue the certificate or license, or to effect the registration required for the performance of the service.

(c) The Legislature finds and declares that this section does not create a state-mandated local program cost because compensation of faculty will continue to be determined through the collective bargaining process or meet and confer sessions. (Added by Stats.1988, c. 973, § 28. Amended by Stats.1989, c. 1071, § 8; Stats.1990, c. 1302 (S.B.2298), § 32, eff. Sept. 25, 1990.)

Delayed implementation of addition of this section, see Historical Note under § 84750.

§ 87357. Minimum qualifications; establishment and maintenance; "discipline"; definition and recommendations

(a) In establishing and maintaining minimum qualifications pursuant to Section 87356, the board of governors shall do all of the following:

(1) With regard to minimum qualifications for faculty, the board of governors shall consult with, and rely primarily on the advice and judgment of, the statewide Academic Senate. With regard to minimum qualifications for educational administrators, the board of governors shall consult with, and rely primarily on the advice and judgment of, an appropriate statewide organization of administrators. With regard to minimum qualifications for apprenticeship instructors, the board of governors shall consult with, and rely primarily on the advice and judgment of, appropriate apprenticeship teaching faculty and labor organization representatives. In each case, the board of governors shall provide a reasonable opportunity for comment by other statewide representative groups.

(2) The board of governors shall establish a process to review at least every three years the continued appropriateness of the minimum qualifications, and the adequacy of the means by which they are administered. The process shall provide for the appointment of a representative group of community college faculty, administrators, students, and trustees to conduct or otherwise assist in the review, including particularly, representatives of academic senates, collective bargaining organizations, and statewide faculty associations. In addition, the group shall be broadly representative of academic and vocational programs in the curriculum from both urban and rural districts, and representative of ethnic minority communities.

(b) The board of governors, relying primarily upon the advice and judgment of the statewide Academic Senate, shall prescribe by regulation a working definition of the term "discipline" and shall prepare and maintain a list of disciplines that are "reasonably related" to one another, as that phrase is used in the minimum qualifications. The initial list shall be distributed to the community college districts by July 1, 1989, for their use in applying the minimum qualifications for hire.

In formulating advice and recommendations to the board of governors regarding the definition of the term "discipline," the statewide Academic Senate shall consult with appropriate statewide organizations representing administrators and faculty collective bargaining agents. The statewide Academic Senate shall incorporate the advice of those groups into its recommendations to the board of governors, particularly as it relates to the practical ramifications of any proposed definition of the term "discipline" on issues of reassignment, transfer, and reduction in force.

The board of governors, relying primarily upon the advice and judgment of the statewide Academic Senate, shall prepare and maintain a list of disciplines in which the master's degree is not generally expected or available. The initial list shall be

distributed to the community college districts by July 1, 1989, for their use in applying the minimum qualifications for service. (Added by Stats.1988, c. 973, § 28. Amended by Stats.1990, c. 1302 (S.B.2298), § 33, eff. Sept. 25, 1990.)

Delayed implementation of addition of this section, see Historical Note under § 84750.

§ 87358. Review of districts' application of minimum qualifications

The board of governors shall periodically designate a team of community college faculty, administrators, and trustees to review each community college district's application of minimum qualifications to faculty and administrators. (Added by Stats.1988, c. 973, § 28.)

Delayed implementation of addition of this section, see Historical Note under § 84750.

§ 87359. Employment of faculty and administrators not meeting applicable minimum qualifications; process

The board of governors shall adopt regulations setting forth a process authorizing local governing boards to employ faculty members, instructional administrators, and student services administrators who do not meet the applicable minimum qualifications specified in the regulations adopted by the board pursuant to Section 87356. Unless and until amended pursuant to the process described in Section 87357, the regulations shall require all of the following:

(a) No one may be hired to serve as a community college faculty member, instructional administrator, or student services administrator under the authority granted by the regulations unless the governing board determines that he or she possesses qualifications that are at least equivalent to the minimum qualifications specified in regulations of the board adopted pursuant to Section 87356. The criteria used by the governing board in making the determination shall be reflected in the governing board's action employing the individual.

(b) The process, as well as criteria and standards by which the governing board reaches its determinations, shall be developed and agreed upon jointly by representatives of the governing board and the academic senate, and approved by the governing board. The agreed upon process shall include reasonable procedures to ensure that the governing board relies primarily upon the advice and judgment of the academic senate to determine that each individual employed under the authority granted by the regulations possesses qualifications that are at least equivalent to the applicable minimum qualifications specified in regulations adopted by the board of governors. The process shall further require that the governing board provide the academic senate with an opportunity to present its views to the governing board before the board makes a determination; and that the written record of the decision, including the views of the academic senate, shall be available for review pursuant to Section 87358.

(c) Until a joint agreement is reached and approved pursuant to subdivision (b), the district process in existence on January 1, 1989, shall remain in effect. (Added by Stats.1988, c. 973, § 28.)

Delayed implementation of addition of this section, see Historical Note under § 84750.

§ 87359.5. Review of job relevance requirements; time

By May 1, 1989, the board of governors shall have reviewed or contracted for review of, the job relevance of the requirements of Sections 87408, 87408.5, 87408.6, and any other physical fitness tests or examinations, and other conditions of employ-

ment, applicable to community college personnel. (Added by Stats.1988, c. 973, § 28.)

Delayed implementation of addition of this section, see Historical Note under § 84750.

ARTICLE 3. HIRING CRITERIA

Section

87360. Development of criteria; inclusions; agreement; process in effect prior to agreement; times.

§ 87360. Development of criteria; inclusions; agreement; process in effect prior to agreement; times

(a) In establishing hiring criteria for faculty and administrators, district governing boards shall, no later than July 1, 1990, develop criteria that include a sensitivity to and understanding of the diverse academic, socioeconomic, cultural, disability, and ethnic backgrounds of community college students.

(b) No later than July 1, 1990, 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.

(c) Until a joint agreement is reached and approved pursuant to subdivision (b), the existing district process in existence on January 1, 1989, shall remain in effect. (Added by Stats.1988, c. 973, § 28.)

Delayed implementation of addition of this section, see Historical Note under § 84750.

Other Relevant Education Code Sections

California Education Code Sections 87001-87003

§ 87001. Academic employee; academic position; certificated employee; certification qualifications; retirement benefits

(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. (Added by Stats.1990, c. 1302 (S.B.2298), § 2, eff. Sept. 25, 1990.)

Former § 87001, added by Stats.1988, c. 973, § 22, was renumbered § 87001.5 and amended by Stats.1989, c. 1360, § 40.

Former § 87001, enacted by Stats.1976, c. 1010, § 2, was repealed by Stats.1990, c. 1302, § 1.5, eff. Sept. 25, 1990.

§ 87001.5. Classified position; classified employee

(a) "Classified position" includes every position that is a part of the classified service as defined in Sections 88003 and 88076.

(b) "Classified employee" refers to a person employed by a community college district in a classified position. (Added by Stats.1990, c. 1302 (S.B.2298), § 4, eff. Sept. 25, 1990.)

Former § 87001.5 was repealed by Stats.1990, c. 1302 (S.B.2298), § 3, eff. Sept. 25, 1990.

§ 87002. Administrator; educational administrator; classified administrator

(a) "Administrator" means any person employed by the governing board of a community college 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) "Classified administrator" means an administrator who is not employed as an educational administrator. (Added by Stats.1990, c. 1302 (S.B.2298), § 6, eff. Sept. 25, 1990.)

Former § 87002 was repealed by Stats.1990, c. 1302 (S.B.2298), § 5, eff. Sept. 25, 1990.

§ 87003. Faculty; faculty member; supervisory or management duties

(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 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 have been established by the board of governors adopted pursuant to subdivisions (a), (b), (c), and (d) 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 3530.1 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. (Added by Stats.1990, c. 1302 (S.B.2298), § 8, eff. Sept. 25, 1990.)

Former § 87003 was repealed by Stats.1990, c. 1302 (S.B.2298), § 7, eff. Sept. 25, 1990.

Regulations on Minimum Qualifications

California Code of Regulations Title 5, Division 6, Chapter 4, Subchapter 4

Article 1. Scope and Definitions

§ 53400. Scope.

This chapter implements and should be read in conjunction with the requirements of Education Code sections 87001, 87356 and 87539 concerning minimum qualifications for community college faculty and administrators. The provisions of this chapter shall become effective in accordance with the provisions of section 70 of chapter 973 of the Statutes of 1989.

NOTE: Authority cited: Sections 66700, 70901, 87001, 87356 and 87359, Education Code. Reference: Sections 87001, 87356 and 87359, Education Code.

HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-5-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

§ 53402. Definitions.

(a) "Administrator" means any person employed by the governing board of a community college 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) "Instructional or student services administrator" means an administrator who is employed in a 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. Instructional and student services administrators include, but are not limited to, chancellors, presidents, and instructional or student service managers.

(c) "Faculty" means those employees of a community college district who are employed in 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 hire are specified in section 53410. Faculty include, but are not limited to, instructors, librarians, counselors, community college health service 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 certification qualifications.

NOTE: Authority cited: Sections 66700, 70901 and 87001, Education Code. Reference: Section 87001, Education Code.

HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-5-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

Article 2. Qualifications and Equivalencies

§ 53410. Minimum Qualifications for Instructors of Credit Courses.

The minimum qualifications for hire as a community college faculty member teaching any credit course shall be satisfied by meeting any one of the following requirements:

(a) Possession of master's degree from an accredited institution, or equivalent foreign degree, in the discipline of the faculty member's assignment.

(b) Possession of a master's degree from an accredited institution, or equivalent foreign degree, in a discipline reasonably related to the faculty member's assignment and possession of bachelor's degree from an accredited institution, or equivalent foreign degree, in the discipline of the faculty member's assignment.

(c) For faculty assigned to teach courses in disciplines where the master's degree is not generally expected or available, which are, generally, disciplines in specialized technical, trade, or industrial fields, either of the following:

(1) Possession of a bachelor's degree from an accredited institution, or equivalent foreign degree, in a discipline reasonably related to the faculty member's assignment, plus two years of professional experience, plus appropriate certification to practice or licensure or its equivalent, if available; or

(2) Possession of an associate degree from an accredited institution in a discipline reasonably related to the faculty member's assignment, plus six years of professional experience, plus appropriate certification to practice or licensure or its equivalent, if available.

NOTE: Authority cited: Sections 66700, 70901 and 87356, Education Code. Reference: Section 87356, Education Code.

HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-5-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

§ 53412. Minimum Qualifications for Instructors of Noncredit Courses.

The minimum qualifications for hire as a community college faculty member teaching a noncredit course shall be satisfied by meeting both of the following requirements:

(a) Successful completion of four years of higher education with a major in a discipline, or completion of four years of occupational experience in a discipline; and

(b) Certification by the district that the applicant has adequate training and experience to teach the classes for which he or she is to be employed.

The provisions of this section shall become inoperative on July 1, 1991.

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

HISTORY

1. New section filed 10-30-90 with Secretary of State by Board of Governors, California Community Colleges; operative 11-30-90 (Register 90, No. 49). Submitted to OAL for printing only pursuant to Education Code section 70901.5(b).

§ 53413. Minimum Qualifications for Apprenticeship Instructors.

(a) Until July 1, 1993, the minimum qualifications for hire as a community college faculty member teaching credit or noncredit apprenticeship courses shall be satisfied by meeting both of the following requirements:

(1) Six (6) years of occupational experience in an apprenticeable trade, including at least two years at the journeyman level; and

(2) Sixty (60) clock hours or four (4) semester units of instruction in an accredited institution of higher education in materials, methods, and evaluation of instruction. This requirement may be satisfied concurrently during the first year of employment as an apprenticeship instructor.

(b) On or after July 1, 1993, the minimum qualifications for hire as a community college faculty member teaching credit apprenticeship courses shall be satisfied by meeting one of the following three requirements.

(1) Possession of an associate degree, plus four (4) years of occupational experience in the subject matter area to be taught; or

2) Six (6) years of occupational experience, a journeyman's certificate in the subject matter area to be taught, and completion of at least eighteen (18) semester units of degree applicable college level course work, in addition to apprenticeship credits, from an accredited institution; or

(3) Employment and service as a community college apprenticeship instruction prior to January 1, 1991; provided that such service was authorized pursuant to minimum qualifications that pertained at the time of hire.

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

HISTORY

1. New section filed 10-30-90 with Secretary of State by Board of Governors, California Community Colleges; operative 11-30-90 (Register 90, No. 49). Submitted to OAL for printing only pursuant to Education Code section 70901.5(b).

§ 53414. Minimum Qualifications for Disabled Students Programs and Services Employees.

(a) The minimum qualifications for hire as a community college counselor of students with disabilities shall be satisfied by meeting one of the following requirements:

(1) Possession of a master's degree from an accredited institution, or equivalent foreign degree, in rehabilitation counseling, or

(2) Possession of a master's degree from an accredited institution, or equivalent foreign degree, in special education, and twenty four (24) or more semester units in upper division graduate level course work in counseling, guidance, student personnel, psychology, or social work; or

(3) A master's degree in counseling, guidance, student personnel, or psychology, or career development, or social welfare, and twelve (12) or more semester units in upper division or graduate level course work specially in counseling, or rehabilitation of individuals with disabilities; or two years of full-time experience, or the equivalent, in one or more of the following:

(A) Counseling or guidance for students with disabilities; or

(B) Counseling and/or guidance in industry, government, public agencies, military or private social welfare organizations in which the responsibilities of the position were predominantly or exclusively for persons with disabilities.

(b) The minimum requirements for hire as a community college faculty member teaching adapted physical education shall be satisfied by meeting the following requirements:

(1) Possession of a master's degree in physical education, with fifteen (15) semester units of graduate study in adapted physical education; or

(2) A bachelor's degree in physical education with a master's degree in occupational therapy.

(c) The minimum requirements for hire to work with students with speech and language disabilities shall be satisfied by meeting the following requirements:

(1) Possession of a master's degree from an accredited institution, or equivalent foreign degree, in speech pathology and audiology, or communication disorders; and

(2) Licensure of eligibility for licensure as a speech pathologist or audiologist by the California Board of Medical Quality Assurance.

(d) Except as provided in subsections (a) through (c) above, the minimum requirements for hire as a community college faculty member to provide specialized instruction for students with disabilities shall be satisfied by meeting the following requirements:

(1) Possession of a master's degree from an accredited institution, or equivalent foreign degree, in the category of disability or special education, or psychology, or educational psychology or rehabilitation counseling; and

(2) Fifteen (15) semester units of graduate study in the area of disability, to include, but not be limited to:

(A) Learning disabilities;

(B) Developmental disabilities;

(C) Deaf and hearing impaired;

(D) Physical disabilities; or

(E) Adapted computer technology.

NOTE: Authority cited: Sections 70901(b)(1)(B), 78600.5 and 87356, Education Code. Reference: Sections 70901(b)(1)(B), 78600.5 and 87356, Education Code.

HISTORY

1. New section filed 10-30-90 with Secretary of State by Board of Governors, California Community Colleges; operative 11-30-90 (Register 90, No. 49). Submitted to OAL for printing only pursuant to Education Code section 70901.5(b).

§ 53420. Minimum Qualifications for Instructional or Student Services Administrators.

The minimum qualifications for hire as an instructional or student services administrator shall be all of the following:

(a) Possession of a master's degree.

(b) One year of formal training, internship, or leadership experience reasonably related to the administrator's administrative assignment, which may, but need not be, concurrent with the required full-time service.

NOTE: Authority cited: Sections 66700, 70901 and 87356, Education Code. Reference: Section 87356, Education Code.

HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-5-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

§ 53430. Equivalencies.

(a) No one may be hired to serve as a community college faculty member, instructional administrator, or student services administrator unless the governing board determines that he or she possesses qualifications that are at least equivalent to the minimum qualifications specified in sections 53410 or 53420. The criteria used by the governing board in making the determination shall be reflected in the governing board's action employing the individual.

(b) The process, as well as criteria and standards by which the governing board reaches its determinations, 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 judgement of the academic senate to determine that each individual employed under the authority granted by this section possesses qualifications that are at least equivalent to the applicable minimum qualifications specified in sections 53410 or 53420.

(c) 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 it 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 Education Code section 87358.

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

NOTE: Authority cited: Sections 66700, 70901, and 87359, Education Code. Reference: Section 87359, Education Code.

HISTORY

1. New section filed 6-5-90 by the Board of Governors, California Community Colleges, with the Secretary of State; operative 7-5-90. Submitted to OAL for printing only pursuant to Education Code section 70901.5(b) (Register 90, No. 37).

Regulations on EOPS Qualifications

California Code of Regulations Title 5, Division 6, Chapter 5, Subchapter 2.5

Article 5. Staffing Standards

§ 56260. Staff.

EOPS shall be provided by certificated director, instructors and counselors and other support staff employed by the governing board of the community college district. All staff funded by EOPS who are not supervised by the EOPS Director shall be accountable to the EOPS Director for the services rendered to EOPS students pursuant to the approved EOPS program plan.

NOTE: Authority cited: Sections 69648, 69648.7 and 71020, Education Code. Reference: Sections 69640-69655, Education Code.

HISTORY

1. New section filed 9-24-87; operative 10-24-87 (Register 87, No. 40).

§ 56262. Director Qualifications.

(a) The EOPS Director must meet the minimum qualifications for a studentservices administrator as specified in section 53420 of this part, or must possess a Community College Supervisor Credential.

(b) In addition, an EOPS Director hired after October 24, 1987, must have, within the last four years, two years of experience or the equivalent:

(1) In the management or administration of educational programs, community organizations, government programs, or private industry in which the applicant dealt predominantly with ethnic minorities or persons handicapped by language, social or economic disadvantages or,

(2) As a community college EOPS counselor or EOPS instructor, or have comparable experience in working with disadvantaged clientele.

(c) In addition, an EOPS director hired after October 24, 1987, shall have completed a minimum of six units of college-level course work predominantly relating to ethnic minorities or persons handicapped by educational, language, or social disadvantages.

NOTE: Authority cited: Sections 69648, 70901(b)(1)(B) and 87356 Education Code. Reference: Sections 70901(b)(1)(B), 87356 and 87357, Education Code.

HISTORY

1. New section filed 9-24-87; operative 10-24-87 (Register 87, No. 40).
2. Amendment filed 10-30-90 with Secretary of State by Board of Governors, California Community Colleges; operative 11-30-90 (Register 90, No. 49). Submitted to OAL for printing only pursuant to Education Code section 70901.5(b).

§ 56264. Counselor Qualifications.

(a) EOPS "Counselors" are those persons designated by the community college to serve as certificated counselors in the EOPS program and must possess the Community College Counselor Credential or possess a master's degree in counseling, rehabilitation counseling, clinical psychology, counseling psychology, guidance counseling, educational counseling, social work, or career development, or the equivalent, and

(b) In addition, EOPS counselors hired after October 24, 1987, shall:

(1) Have completed a minimum of nine semester units of college course work predominantly relating to ethnic minorities or persons handicapped by language, social, or economic disadvantages or,

(2) Have completed six semester units or the equivalent of a college-level counseling practicum or counseling field-work courses in a community college EOPS program, or in a program dealing predominantly with ethnic minorities or persons handicapped by language, social, or economic disadvantages and.

(c) In addition, an EOPS counselor hired after October 24, 1987, shall have two years of occupational experience in work relating to ethnic minorities or persons handicapped by language, social, or economic disadvantages.

NOTE: Authority cited: Sections 69648, 69648.7 and 71020, Education Code. Reference: Sections 69640-69655, Education Code.

HISTORY

1. New section filed 9-24-87; operative 10-24-87 (Register 87, No. 40).
2. Amendment filed 10-30-90 with Secretary of State by Board of Governors, California Community Colleges; operative 11-30-90 (Register 90, No. 49). Submitted to OAL for printing only pursuant to Education Code section 70901.5(b).

Disciplines Requiring the Master's Degree

Whenever this list mentions a Master's degree, any degree beyond the Master's would also satisfy that qualification.

Under each of the disciplines below, the phrase "OR The equivalent" refers to the possibility of hiring faculty who do not possess the exact degrees listed, under a local process developed and agreed upon by representatives of the governing board and the academic senate, as provided for in *Education Code* Section 87359 and Title 5 Section 53430.

- Accounting:** Master's in accountancy or business administration with accounting concentration **OR**
Bachelor's in business with accounting emphasis or business administration with accounting emphasis or economics with an accounting emphasis **AND** Master's in business, business education, taxation, or finance **OR**
Bachelor's degree with a CPA license **OR**
The equivalent
- Agriculture:** Master's in agriculture, agriculture sciences or education with a specialization in agriculture **OR**
Bachelor's in any of the above **AND** Master's in agriculture business, natural resources, animal science, plant science, soil science, forestry, pomology, agricultural engineering, environmental horticulture, agronomy, or enology **OR**
The equivalent
- Anthropology:** Master's in anthropology or archaeology **OR**
Bachelor's in either of the above **AND** Master's in sociology, biological sciences, forensic sciences, genetics or paleontology **OR**
The equivalent
- Art:** Master's in fine arts, art, or art history **OR**
Bachelor's in any of the above **AND** Master's in humanities **OR**
The equivalent
- Astronomy:** See Physics/Astronomy

Biological Sciences:

Master's in any biological science **OR**
Bachelor's in any biological science **AND** Master's in
biochemistry, biophysics, or marine science **OR**
The equivalent

Business:

Master's in business, business management, business administration, accountancy, finance, marketing, or business education **OR**
Bachelor's in any of the above **AND** Master's in economics, personnel management, public administration, or JD or LLB degree **OR**
Bachelor's in economics with a business emphasis **AND** Master's in personnel management, public administration, business education, or JD or LLB degree **OR**
The equivalent

Chemistry:

Master's in chemistry **OR**
Bachelor's in chemistry **AND** Master's in biochemistry, chemical engineering, chemical physics, physics, molecular biology, or geochemistry **OR**
The equivalent

Child Development/Early Childhood Education:

Master's in child development, early childhood education, human development, family and consumer studies with a specialization in child development/early childhood education **OR**
Bachelor's in any of the above **AND** Master's in educational psychology with a specialization in child development, social work, educational supervision, elementary education, special education, psychology, bilingual/bicultural education, life management/home economics, family life studies, or family and consumer studies **OR**
The equivalent

Computer Applications:

Qualifications in the discipline of the application

Computer Science:

Master's in computer science or computer engineering **OR**
Bachelor's in either of the above **AND** Master's in mathematics, cybernetics, business administration, accounting, or engineering **OR**
Bachelor's in engineering **AND** Master's in cybernetics, engineering, mathematics, business administration **OR**
Bachelor's in mathematics **AND** Master's in cybernetics, engineering, mathematics, or business administration **OR**

- The equivalent
- Counseling:** Master's in counseling, rehabilitation counseling, clinical psychology, counseling psychology, guidance counseling, educational counseling, social work, career development, or California license in marriage, family and child counseling (LMFCC) **OR**
The equivalent
- Dance:** Master's in dance, physical education with a dance emphasis, or theater with dance emphasis **OR**
Bachelor's in any of the above **AND** Master's in physical education, any life science, physiology, theater arts, kinesiology, humanities, performing arts, music **OR**
The equivalent
- Dietetics:** See Nutritional Science/Dietetics
- Drama/Theater Arts:** Master's in drama/theater arts/performance **OR**
Bachelor's in drama/theater arts/performance **AND** Master's in comparative literature, English, speech, literature, or humanities **OR**
The equivalent
- Ecology:** Master's in ecology or environmental studies **OR**
The equivalent **OR**
See Interdisciplinary Studies
- Economics:** Master's in economics **OR**
Bachelor's in economics **AND** Master's in business, business administration, business management, business education, finance, or political science **OR**
The equivalent
- Education:** Master's in education **OR**
The equivalent
- Engineering:** Master's in any field of engineering **OR**
Bachelor's in any of the above **AND** Master's in mathematics, physics, computer science, chemistry, or geology **OR**
Bachelor's in any field of engineering with a professional engineering license **OR**
The equivalent

- English:** Master's in English, literature, comparative literature, or composition **OR**
Bachelor's in any of the above **AND** Master's in linguistics, TESL, speech, education with a specialization in reading, creative writing, or journalism **OR**
The equivalent
- ESL:** Master's in TESL, TESOL, applied linguistics with a TESL emphasis, linguistics with a TESL emphasis, English with a TESL emphasis, or education with a TESL emphasis **OR**
Bachelor's in TESL, TESOL, English with a TESL certificate, linguistics with a TESL certificate, applied linguistics with a TESL certificate, or any foreign language with a TESL certificate **AND** Master's in linguistics, applied linguistics, English, composition, bilingual/bicultural studies, reading, speech, or any foreign language **OR**
The equivalent
- Ethnic Studies:** Master's in the ethnic studies field **OR**
The equivalent **OR**
See Interdisciplinary Studies
- Family and Consumer Studies/Home Economics:**
Master's in family and consumer studies, life management/home economics **OR**
Bachelors in either of the above **AND** Master's in child development, early childhood education, human development, fashion, clothing and textiles, housing/interior design or dietetics and food administration **OR**
The equivalent
- Foreign Languages:**
Master's in the language being taught **OR**
Bachelor's in the language being taught **AND** Master's in another foreign language **OR**
The equivalent
- Geography:** Master's in geography **OR**
Bachelor's in geography **AND** Master's in geology, history, meteorology, or oceanography **OR**
The equivalent **OR**
See Interdisciplinary Studies
- Geology and Earth Science:**
Master's in geology, geophysics, meteorology, oceanography, or paleontology **OR**

Bachelor's in geology **AND** Master's in geography, physics, or geochemistry **OR**
The equivalent

Gerontology: Master's in gerontology **OR**
The equivalent **OR**
See Interdisciplinary Studies

Health: Master's in health science, health education, biology, nursing, physical education, dietetics, or nutrition **OR**
Bachelor's in any of the above **AND** Master's in public health, health education, biology, or any biological science **OR**
The equivalent

Health Services Director/Health Services Coordinator/College Nurse:
Master's in nursing **OR**
Bachelor's in nursing, PHN **AND** Master's in health education, sociology, psychology, counseling, health care administration, public health, or community health **OR**
The equivalent

History: Master's in history **OR**
Bachelor's in history **AND** Master's in political science, humanities, geography, area studies, women's studies, social science, or ethnic studies **OR**
The equivalent

Humanities: Master's in humanities **OR**
The equivalent **OR**
See Interdisciplinary Studies

Instructional Design/Technology:
Master's in instructional design/technology **OR**
The equivalent

Interdisciplinary Studies:

Master's in the interdisciplinary area **OR**
Master's in one of the disciplines included in the interdisciplinary area, *provided that the local faculty determine that the instructor's course work was broad enough to provide an ample basis for offering such a course.* (For example, a course in women's studies could be taught by an instructor whose master's was in women's studies or by an instructor whose master's was in any of the disciplines covered by that course, provided the faculty approve as indicated above. The same principle would apply to ethnic studies courses, humanities courses, or courses of an interdisciplinary nature where no conventional degree applies such as nursing ethics or history through literature.)

Journalism:

Master's in journalism or communication with a specialization in journalism **OR**
Bachelor's in either of the above **AND** Master's in English, history, communication, literature, composition, comparative literature, any social science, business, business administration, marketing, graphics, or photography **OR**
The equivalent

Law:

JD or LLB **OR**
Meet qualifications in the discipline of the application **OR**
The equivalent

Library Science:

Master's in library science **OR**
The equivalent

Linguistics:

Master's in linguistics or applied linguistics **OR**
Bachelor's in linguistics **AND** Master's in TESOL, anthropology, psychology, sociology, English, any foreign language **OR**
The equivalent

Management:

Master's in business administration, business management, business education, marketing, public administration, or finance **OR**
Bachelor's in any of the above **AND** Master's in economics, accountancy, taxation, or law **OR**
The equivalent

Marketing:

Master's in business administration, business management, business education, marketing, advertising, or finance **OR**
Bachelor's in any of the above **AND** Master's in economics, accountancy, taxation, or law **OR**
The equivalent

Mass Communication:

Master's in radio, television, film, mass communication, or journalism **OR**
Bachelor's in any of the above **AND** Master's in drama/theater arts, communication, speech communication, business, or telecommunications **OR**
The equivalent

Mathematics:

Master's in mathematics or applied mathematics **OR**
Bachelor's in either of the above **AND** Master's in statistics, physics, or mathematics education **OR**
The equivalent

Music:

Master's in music **OR**
Bachelor's in music **AND** Master's in humanities **OR**
The equivalent

Nursing:

Master's in nursing **OR**
Bachelor's in nursing **AND** Master's in health education or health science **OR**
The equivalent **OR**
The minimum qualifications as set by the Board of Registered Nursing, whichever is higher

Nutritional Science/Dietetics:

Master's in nutrition, dietetics, or dietetics and food administration **OR**
Bachelor's in any of the above **AND** Master's in chemistry **OR**
The equivalent

Office Management:

Master's in business, business administration, or business education **OR**
Bachelor's in any of the above **AND** Master's in vocational education **OR**
The equivalent

Philosophy:

Master's in philosophy **OR**
Bachelor's in philosophy **AND** Master's in humanities or theology **OR**
The equivalent

Photography:

See Art

Physical Education:

Master's in physical education **OR**
Bachelor's in physical education **AND** Master's in any life science,
dance, physiology, health education, recreation administration,
kinesiology, or physical therapy **OR**
The equivalent

Physics/Astronomy:

Master's in physics, astronomy, or astrophysics **OR**
Bachelor's in physics or astronomy **AND** Master's in engineering,
mathematics, meteorology, or geophysics **OR**
The equivalent

Political Science:

Master's in political science, government, public administration,
or international relations **OR**
Bachelor's in any of the above **AND** Master's in economics,
history, social science, sociology, any ethnic studies, JD, or LLB **OR**
The equivalent

Psychology:

Master's in psychology **OR**
Bachelor's in psychology **AND** Master's in counseling, sociology,
statistics, neuroscience, or psychiatric social work **OR**
The equivalent

Reading:

Master's in education with a specialization in reading or teaching
reading **OR**
Bachelor's in any academic discipline **AND** additional
certification in the teaching of reading **AND** Master's in English,
literature, linguistics, applied linguistics, composition,
comparative literature, TESL, or psychology **OR**
The equivalent

Recreation Administration:

Master's in recreation administration or physical education **OR**
Bachelor's in either of the above **AND** Master's in dance,
gerontology, or public administration, **OR**
The equivalent

Religious Studies:

Master's in religious studies, theology,
or philosophy **OR**
Bachelor's in any of the above **AND** Master's in humanities **OR**
The equivalent

Social Science:

Master's in social science **OR**
The equivalent **OR**
See Interdisciplinary Studies

- Sociology:** Master's in sociology **OR**
Bachelor's in sociology **AND** Master's in anthropology, any ethnic studies, political science, or psychology **OR**
The equivalent
- Speech:** Master's in speech, speech broadcasting, telecommunications, rhetoric, communication, speech communication, organizational communication **OR**
Bachelor's in any of the above **AND** Master's in drama/theater arts, mass communication, or English **OR**
The equivalent
- Theater Arts:** See Drama/Theater Arts
- Women's Studies:** Master's in women's studies **OR**
The equivalent **OR**
See Interdisciplinary Studies

Disciplines in which the Master's Degree is not Generally Expected or Available

Any bachelor's degree or associate degree is considered to be reasonably related to the disciplines on this list for purposes of minimum qualifications.

The list of "areas also included in the discipline" is not exhaustive. Only those areas are included for which it might not be clear otherwise whether they were intended to be included.

| Discipline | Areas also included in the discipline |
|--|--|
| Addiction Paraprofessional Training Administration of Justice | Police science, corrections, law enforcement |
| Aeronautics | Airframe and powerplant, aircraft mechanics, aeronautical engineering technician, avionics |
| Agricultural business and related services | Inspection, pest control, food processing/meat cutting |
| Agricultural engineering | Equipment and machinery, farm mechanics |
| Agricultural production | Animal science, plant science, beekeeping, aquaculture Solar energy technician |
| Air conditioning, refrigeration, heating | |
| Animal health technology | |
| Animal training and management | Exotic animal training |
| Appliance repair | Vending machines |
| Architecture | |
| Auto body technology | Antique and classic auto restoration |
| Auto mechanics | |
| Aviation | Flight, navigation, ground school, air traffic control |
| Banking and finance | |
| Barbering | |
| Bicycle repair | |
| Bookbinding | |
| Building codes and regulations | Inspecting of construction, building codes, contractor training |
| Building maintenance | |
| Business machine technology | |
| Cabinet making | |

| Discipline | Areas also included in the discipline |
|--|---|
| Cardiovascular technology Carpentry Ceramic technology Coaching Commercial art | Signmaking, lettering, packaging, rendering |
| Commercial music Computer information systems Computer service technology Construction management Construction technology Cosmetology Court reporting Culinary arts/food technology | Computer network installation |
| Dental technology Diagnostic medical technology | Food service, meat cutting, baking, waiter/waitressing, bartending Dental assisting, dental hygiene Diagnostic medical sonography, neurodiagnostic technology |
| Diesel mechanics Dietetic technician Drafting | |
| Electricity Electro-mechanical technology Electronics Electronics technology Electromicroscopy Electroplating Emergency medical technologies Engineering technologies Equine science | Electrical power distribution Industrial mechanical technology Avionics Radio, television, and computer repair Surveying, engineering aides Equine training, equitation, ferrier science, pack horse management |
| Estimating | |
| Fabric Care Fashion and related technologies Film making/video Fire technology Flight attendant training Fluid mechanics technology Forestry/natural resources | Laundry and dry cleaning Merchandising, design, production |
| | Range management; soil, air and water resources; fish/wildlife management; parks and recreation |

| Discipline | Areas also included in the discipline |
|--------------------------------|--|
| Furniture making | |
| Graphic arts | Desk-top publishing |
| Gunsmithing | |
| Hazardous material abatement | |
| Health care ancillaries | Medical assisting, hospice worker, home care aide, certified nurse aide, health aide, ward clerk, central service technology |
| Heavy duty equipment mechanics | |
| Hotel and motel services | |
| Industrial design | |
| Industrial maintenance | |
| Industrial relations | |
| Industrial safety | |
| Industrial technology | Foundry occupations |
| Interior design | |
| Janitorial services | |
| Jewelry | |
| Labor relations | |
| Labor studies | |
| Laser technology | Laser electro-optics technology |
| Legal assisting | Paralegal |
| Library technology | |
| Licensed vocational nursing | |
| Locksmithing | |
| Machine tool technology | Tool and die making |
| Manufacturing technology | Quality control, process control |
| Marine diving technology | |
| Masonry | Concrete, cement work, bricklaying |
| Materials testing technology | Destructive testing or nondestructive examination |
| Media production | |
| Medical assistant | |
| Medical instrument repair | |
| Medical record technology | |
| Mining and metallurgy | Oilfield operations |
| Mortuary science | |
| Motorcycle repair | |

| Discipline | Areas also included in the discipline |
|---|---|
| Music management Musical instrument repair | Music merchandising |
| Nursing science: clinical practice | |
| Occupational therapy assisting Office technologies | Secretarial skills, office systems, word processing |
| Ornamental horticulture | Landscape horticulture, design, maintenance, landscape architecture, floristry, floral design |
| Pharmacy technology Photographic technology/commercial photography Physical therapy assisting Piano tuning and repair Plastics Plumbing Printing technology Private security | Typography, composition, printing Security management, safety/accident control, hazardous substance management, crime prevention |
| Prosthetics and orthotics Psychiatric technician Public relations | |
| Radiologic technology Radiation therapy Real estate Rehabilitation technician Respiratory technician Respiratory technologies Restaurant management Retailing Robotics | Purchasing, merchandising, sales Computer integrated manufacturing |
| Sanitation and public health technology Search and rescue Sewage treatment Sheet metal Ship and boat building and repair Shoe rebuilding Sign language | |

| Discipline | Areas also included in the discipline |
|---|--|
| Small engine mechanics Stagecraft Steamfitting Surgical technology | |
| Telecommunication technology Transportation Travel services | Dispatching |
| Upholstering | |
| Vision care technology | |
| Watch and clock repair Water treatment Welding | |

**Exerpts from Section 4 of AB 1725 (1988):
Legislative Findings and Declarations Relating to
Minimum Qualifications and Hiring Processes**

(NOTE: Other paragraphs in this section address full-time/part-time balance, faculty recruitment and diversity, professional development, faculty governance relationships, evaluations, and tenure.)

(o) Any set of laws, regulations, directives, or guidelines regarding community college faculty and administrator qualifications, evaluation, hiring, or retention should promote the efforts of local community colleges to ensure that their faculty and administration consists of:

(1) Teachers who can teach and who are experts in the subject matter of their curriculum.

(2) Counselors, librarians, and other instructional and student service faculty who can foster college effectiveness and who are experts in the subject matter of their specialty.

(3) Administrators who can lead, organize, plan, and supervise; who understand the needs of faculty and the learning process; and who value institutional governance based upon a genuine sharing of responsibility with faculty colleagues.

(p) (1) The laws, regulations, directives, or guidelines should help the community colleges ensure that the faculty and administrators they hire and retain are people who are sympathetic and sensitive to the racial and cultural diversity in the colleges, are themselves representative of that diversity, and are well prepared by training and temperament to respond effectively to the educational needs of all the special populations served by community colleges.

(2) All state and local policies, rules, and regulations regarding community college faculty and administrator qualifications, evaluation, hiring, or retention should strengthen faculty, administration, and board cooperation in matters related to those topics. They should also strengthen the role of the faculty as an authoritative, professional collegiate body.

(q) (1) In general, the appropriate focus of minimum qualifications is in helping the colleges to ensure that they will select faculty who are competent in subject matter and possess the basic academic preparation needed to work effectively at the college level. The minimum qualifications for all faculty should be the same except where the application of qualifications without differentiation would be clearly unreasonable or impractical.

(2) The minimum qualifications for administrators should help the colleges to ensure that they will select individuals who are competent to perform the kind of administrative responsibilities that administrators are normally required to assume, such as supervision, organizational planning, and budget development and administration, and who understand the needs of faculty and the learning process.

(r) (1) The pool of underrepresented individuals interested in faculty and administrative positions in the community colleges should be increased. Furthermore, practical and effective ways of finding and recruiting those individuals should be developed and maintained. The state's leadership in this effort is appropriate and urgently needed.

(2) The hiring process for administrators and faculty (both temporary and permanent) should be designed so that both faculty and administrators take real responsibility for meeting affirmative action goals and ensuring that affirmative action considerations effectively influence hiring decisions.

(s) (1) No single approach to hiring faculty can guarantee attainment of the colleges' affirmative action goals and consistent selection of qualified individuals. Nevertheless, any hiring process adopted by a college should require the joint and cooperative exercise of responsibility by the faculty, administration, and board and should reflect the differing source of each participant's authority and the kind of responsibility that authority conveys.

(2) The governing board of a community college district derives its authority from statute and from its status as the entity holding the institution in trust for the benefit of the public. As a result, the governing board and the administrators it appoints have the principal legal and public responsibility for ensuring an effective hiring process.

(3) Faculty members derive their authority from their expertise as teachers and subject matter specialists and from their status as professionals. As a result, the faculty has an inherent professional responsibility in the development and implementation of policies and procedures governing the hiring process.

(4) Beyond requiring a joint and cooperative exercise of responsibility, the hiring process should be focused on ensuring that the community colleges will select teachers who can teach, and who are experts in the subject matter of their curriculum; and counselors, librarians, and other instructional and student services faculty who can foster community college effectiveness and who are experts in the subject matter of their specialty. This means that the colleges may establish criteria for hiring that go well beyond the minimum qualifications set by regulation. The establishment of additional criteria of this sort should be expected and encouraged.

(5) The focus of the hiring process for administrators is slightly different from the focus in hiring teachers. In hiring teachers, the goal is to find people who can teach, but in hiring administrators the goal is to ensure that the community colleges will select administrators who are competent to perform the kind of administrative responsibilities that administrators are normally required to assume in the context of the operation and programs of the community colleges.

(t) The state should provide the community colleges with enough resources and a sufficiently stable funding environment to enable them to predict their staffing needs and to establish highly effective hiring processes. While the precise nature of the hiring process for faculty should be subject to local definition and control, each community college should, in a way that is appropriate to its circumstances, establish a hiring process that ensures that:

(1) Emphasis is placed on the responsibility of the faculty to ensure the quality of their faculty peers.

(2) Both faculty members and administrators participate effectively in all appropriate phases of the process.

(3) Positions to be filled are normally identified through a well defined, thoughtful, planning process.

(4) The time between the announcement of each position and the selection of a candidate for hire is long enough to allow a thorough, complete, and thoughtful search.

(5) Clear and complete job descriptions, including all job-related skills requirements and any additional qualifications recommended by the faculty when appropriate, are prepared for each position, and these job descriptions are reviewed before each position is announced, to ensure conformity with the community college's affirmative action and nondiscrimination commitments.

(6) All participants in the process are given appropriate training in affirmative action procedures and the affirmative action goals and timetables of the community college so that success in reaching those goals is better assured.

(7) Individuals, preferably minorities or women, who are knowledgeable about and responsible to the community college's affirmative action goals are included on all selection committees or similar groups.

(8) Final hiring decisions are, whenever reasonably possible, made during the regular academic year and promptly communicated to the faculty; the expectation that faculty recommendations regarding the hiring of faculty will normally be accepted is reinforced; and only in exceptional circumstances, and for compelling reasons communicated to the selection committee and to the president of the academic senate of the college, will someone be hired as a faculty member who has not been found to be among the best qualified by the faculty.

(u) The state should provide the community colleges with enough resources and a sufficiently stable funding environment to enable them to predict their staffing needs and to establish highly effective hiring processes. While the precise nature of the hiring process for administrators should be subject to local definition and control, each community college should, in a way that is appropriate to its circumstances, establish a hiring process which ensures that:

(1) Representatives of the faculty and other employees whose circumstances at work will be directly affected by the employment of the administrator participate effectively in all appropriate phases of the process.

(2) Positions to be filled are normally identified through a well defined, thoughtful, planning process.

(3) The time between the announcement of each position and the selection of a candidate for hire is long enough to allow a thorough, complete, and thoughtful search.

(4) Clear and complete job descriptions that include all job-related skills requirements are prepared for each position and these job descriptions are reviewed before each position is announced, to ensure conformity with the community college's affirmative action and nondiscrimination commitments.

(5) All participants in the process are given appropriate training in affirmative action procedures and goals and timetables of the community college, so that success in reaching those goals is better assured.

(6) Individuals, preferably minorities or women, who are knowledgeable about and responsive to the college's affirmative action goals are included on all selection committees or similar groups.

(7) Final hiring decisions are, whenever reasonably possible, made during the regular academic year and promptly communicated to the faculty and staff.

RELATED RESOURCES

Academic Senate Papers

The statewide Academic Senate has published several position papers or committee reports which bear on faculty qualifications and hiring. These are available from the Senate office at (916) 445-4753:

"Equivalence to the Minimum Qualifications," Fall 1989.

"Towards a Model Four-year Tenure Process," November 1990.

"The Ramifications and Implications of Affirmative Action on Hiring," November 1990.

"Hiring Effective Faculty: An Introduction," April 1991.

Faculty and Staff Diversity

Information and assistance concerning affirmative action are available from the Chancellor's Office Faculty and Staff Diversity Unit at (916) 445-2914. Affirmative action regulations are found in Title 5, Sections 53000-53099. In addition to a periodic newsletter, the following are available:

"Toward a New Diversity: Guidelines for a Staff Diversity/Affirmative Action Plan," June 1989.

"Toward a New Diversity: Source Documents," June 1989.

Chancellor's Office Research Reports

The research and Analysis Unit of the Chancellor's Office publishes numerous studies relating to employment. All are available from the unit at (916) 322-4656. Some of these are:

"Study of Part-time Instruction," January 1987.

"Trends and Comparisons in Community Colleges Staffing," February 1989.

"Report on Staffing and Salaries Fall 1989," September 1990 (ninth in a series).

Historical Sources

The following may be useful for research purposes. They are not available for distribution, but may be found in depository libraries, including the Chancellor's Office Library.

"The Challenge of Change: A Reassessment of the California Community Colleges," Commission for the Review of the Master Plan for Higher Education, March 1986.

"Background Papers for the Challenge of Change," Commission for the Review of the Master Plan for Higher Education, March 1986.

"Preliminary Report of the Task Force on Community College Faculty and Administrator Qualifications, Hiring, Evaluation and Retention," Peter J. Landsberger, March 1987.

"Strengthening Standards for Community College Instruction: Credentials and Qualifications in the California Community Colleges," Berman, Weiler Associates, March 1987.

"Strengthening the Community College Personnel System: Standards, Tenure and Evaluation," Berman, Weiler Associates, April 1987.

"Analysis: AB 1725 Employment Issues," Addendum to the Board of Governors Agenda, Chancellor's Office, October 1987.

Training Workshop Materials

The following resource was developed for use in workshops that were sponsored in several locations around the state by a consortium of community college organizations. Although some statutory and regulatory language has since changed and the examples must be used cautiously, this is still a valuable document. A limited number are available from the Chancellor's Office.

"An Introduction to Disciplines, Faculty Service Areas, and Competency Standards," Disciplines/FSA Committee of the Californians for Community Colleges, July 1989.

CALIFORNIA COMMUNITY COLLEGES

77 NINTH STREET
CRAMENTO, CALIFORNIA 95814
(916) 445-8752



October 4, 1991

TO: Chief Personnel Officers and Assistants

FROM: Allan Petersen, Dean
Staff Development & Minimum Qualifications

SUBJECT: Recent Amendments to Minimum Qualifications Regulations

The attached pages are intended to update the Title 5 regulations on pages 9 through 11 of the June 1991 booklet entitled "Minimum Qualifications for Faculty and Administrators in California Community Colleges."

It will not be possible to provide you with replacement pages for at least six months, as that is how far backlogged Barclays Law Publishers is in printing the official amendments for the California Code of Regulations. So we thought it worthwhile to provide you in the interim with the versions from the Board of Governors agenda, showing the changes the Board actually acted upon in May and September, 1991.

These amendments are mainly technical, but some are substantive clarifications:

- 1) Definitions and references are updated to conform to the statutory changes made last year by SB 2298.
- 2) The term "minimum qualifications for hire" is changed wherever it appears to "minimum qualifications for service," thus emphasizing that the requirements apply to existing faculty members who change assignments. This also is for conformity with SB 2298.
- 3) The expiration date for the existing minimum qualifications for noncredit faculty is extended to July 1, 1992. (The Board in May authorized the Chancellor to adopt a new regulation to take effect at that time. The new regulation has not yet been developed.)
- 4) The units of specialized training that DSPS or adaptive physical education instructors must possess may now be at either the upper division or graduate level.
- 5) Section 53430 now makes clear that the equivalency process may be used for any category of employees for whom statewide minimum qualifications have been set (specifically, including DSPS employees).

6) The role of academic senates in developing equivalency criteria and processes is limited to equivalencies involving faculty, rather than administrators.

Additional copies of these amendments may be obtained from Judy Frith, Office Assistant, at (916) 445-2392. Questions may be directed to Charlie Klein, Specialist in Minimum Qualifications and Employment Issues, at (916) 445-4236.

cc(w/attach.):

Ernest Leach
Maria Sheehan
Tom Nussbaum
Ralph Black
Charlie Klein
Evelyn Weiss, Academic Senate

Recent Amendments to Minimum Qualifications Regulations

53400. Scope.

This subchapter implements and should be read in conjunction with the requirements of Education Code Sections 87001, 87002, 87003, 87356, and 87539 concerning minimum qualifications for community college faculty and administrators. The provisions for this subchapter shall become effective in accordance with the provisions of Section 70 of Chapter 973 of the ~~Statues~~ Statutes of 1989.

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

53402. Definitions.

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

(b) "~~Instructional or student services~~ Educational administrator" means an administrator who is employed in a 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. ~~Instructional and student services~~ Educational administrators include, but are not limited to, chancellors, presidents, and ~~instructional or student service managers~~ other supervisory or management employees designated by the governing board as educational administrators.

(c) "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 Article 5 (commencing with Section 3540) of ~~c~~Chapter 10.7 of ~~d~~Division 4 of Title 1 of the Government Code and for which minimum qualifications for hire 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, ~~handicapped 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.

53410. Minimum Qualifications for Instructors of Credit Courses.

The minimum qualifications for hire service as a community college faculty member teaching any credit course shall be satisfied by meeting any one of the following requirements:

(a) Possession of a master's degree from an accredited institution, or equivalent foreign degree, in the discipline of the faculty member's assignment.

(b) Possession of a master's degree from an accredited institution, or equivalent foreign degree, in a discipline reasonably related to the faculty member's assignment and possession of a bachelor's degree from an accredited institution, or equivalent foreign degree, in the discipline of the faculty member's assignment.

(c) For faculty assigned to teach courses in disciplines where the master's degree is not generally expected or available, which are, generally, disciplines in specialized technical, trade, or industrial fields, either of the following:

(1) Possession of a bachelor's degree from an accredited institution, or equivalent foreign degree, in a discipline reasonably related to the faculty member's assignment, plus two (2) years of professional experience, plus appropriate certification to practice or licensure or its equivalent, if available; or

(2) Possession of an associate degree from an accredited institution in a discipline reasonably related to the faculty member's assignment, plus six years of professional experience, plus appropriate certification to practice or licensure or its equivalent, if available.

NOTE: Authority cited: Sections 66700, 70901, and 87356, Education Code. Reference: Section 87356, Education Code.

53412. Minimum Qualifications for Instructors of Noncredit Courses.

The minimum qualifications for hire service as a community college faculty member teaching a noncredit course shall be satisfied by meeting both of the following requirements:

(a) Successful completion of four years of higher education with a major in a discipline, or completion of four years of occupational experience in a discipline; and

(b) Certification by the district that the applicant has adequate training and experience to teach the classes for which he or she is to be employed. The provisions of this section shall become inoperative on July 1, ~~1991~~ 1992.

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

53413. Minimum Qualifications for Apprenticeship Instructors.

(a) Until July 1, 1993, the minimum qualifications for hire service as a community college faculty member teaching credit or noncredit apprenticeship courses shall be satisfied by meeting both of the following requirements:

(1) Six (6) years of occupational experience in an apprenticeable trade, including at least two years at the journeyman level; and

(2) Sixty (60) clock hours or four (4) semester units of instruction in an accredited institution of higher education in materials, methods, and evaluation of instruction. This requirement may be satisfied concurrently during the first year of employment as an apprenticeship instructor.

(b) On or after July 1, 1993, the minimum qualifications for hire service as a community college faculty member teaching credit apprenticeship courses shall be satisfied by meeting one of the following three requirements.

(1) Possession of an associate degree, plus four (4) years of occupational experience in the subject matter area to be taught; or

(2) Six (6) years of occupational experience, a journeyman's certificate in the subject matter area to be taught, and completion of at least eighteen (18) semester units of degree applicable college level course work, in addition to apprenticeship credits, from an accredited institution; or

(3) Employment and service as a community college apprenticeship instruction instructor prior to January 1, 1991; provided that such service was authorized pursuant to minimum qualifications that pertained at the time of hire.

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

53414. Minimum Qualifications for Disabled Students Programs and Services Employees.

(a) The minimum qualifications for hire service as a community college counselor of students with disabilities shall be satisfied by meeting one of the following requirements;

(1) Possession of a master's degree from an accredited institution, or equivalent foreign degree, in rehabilitation counseling, or

(2) Possession of a master's degree from an accredited institution, or equivalent foreign degree, in special education, and twenty four (24) or more semester units in upper division or graduate level course work in counseling, guidance, student personnel, psychology, or social work; or

(3) A master's degree in counseling, guidance, student personnel, or psychology, or career development, or social welfare, and twelve (12) or more semester units in upper division or graduate level course work specifically in counseling, or rehabilitation of individuals with disabilities; or two years of full-time experience, or the equivalent, in one or more of the following:

(A) Counseling or guidance for students with disabilities; or

(B) Counseling and/or guidance in industry, government, public agencies, military or private social welfare organizations in which the responsibilities of the position were predominantly or exclusively for persons with disabilities.

(b) The minimum requirements for hire service as a community college faculty member teaching adapted physical education shall be satisfied by meeting the following requirements:

(1) Possession of a master's degree in physical education, with fifteen (15) semester units of upper division or graduate study in adapted physical education; or

(2) A bachelor's degree in physical education with a master's degree in occupational therapy.

(c) The minimum requirements for hire service to work with students with speech and language disabilities shall be satisfied by meeting the following requirements:

(1) Possession of a master's degree from an accredited institution, or equivalent foreign degree, in speech pathology and audiology, or communication disorders; and

(2) Licensure ~~of~~ or eligibility for licensure as a speech pathologist or audiologist by the California Board of Medical Quality Assurance.

(d) Except as provided in subsection (a) through (c) above, the minimum requirements for hire service as a community college faculty member to provide specialized instruction for students with disabilities shall be satisfied by meeting the following requirements:

(1) Possession of a master's degree from an accredited institution or equivalent foreign degree, in the category of disability or special education, or education, or psychology, or educational psychology or rehabilitation counseling; and

(2) Fifteen (15) semester units of upper division or graduate study in the area of disability, to include, but not be limited to:

- (A) Learning disabilities;
- (B) Developmental disabilities;
- (C) Deaf and hearing impaired;
- (D) Physical disabilities; or
- (E) Adapted computer technology.

NOTE: Authority cited: Sections 70901(b)(1)(B), ~~78600.5~~ and 87356, Education Code. Reference: Sections 70901(b)(1)(B), ~~78600.5~~ and 87356, Education Code.

53420. Minimum Qualifications for ~~Instructional or Student Services~~ Educational Administrators.

The minimum qualifications for hire service as an ~~instructional or student services~~ educational administrator shall be all of the following:

(a) Possession of a master's degree.

(b) One year of formal training, internship, or leadership experience reasonably related to the administrator's administrative assignment, which may, but need not be, concurrent with the required full-time service.

NOTE: Authority cited: Sections 66700, 70901 and 87356, Education Code. Reference: Section 87356, Education Code.

53430. Equivalencies.

(a) No one may be hired to serve as a community college faculty member; ~~instructional administrator, or student services~~ educational administrator, or administrator unless the governing board determines that he or she possesses qualifications that are at least equivalent to the minimum qualifications specified in ~~Sections 53410 or 53420~~ this article or elsewhere in this division. The criteria used by the governing board in making the determination shall be reflected in the governing board's action employing the individual.

(b) The process, as well as criteria and standards by which the governing board reaches its determinations regarding faculty, shall be developed and agreed upon jointly by representatives of the governing board and the academic senate, and approved by the governing board. The agreed upon process shall include reasonable procedures to ensure that the governing board relies primarily upon the advice and judgment of the academic senate to determine that each individual faculty employed under the authority granted by this section possesses qualifications that are at least equivalent to the applicable minimum qualifications specified in ~~Sections 53410 or 53420~~ this article.

(c) 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 it 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 Education Code Section 87358.

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

NOTE: Authority cited: Sections 66700, 70901, and 87359, Education Code.
Reference: Section 87359, Education Code.

