



REGULAR MEETING

March 6, 2023

EXHIBITS



Minutes of the
MEETING OF THE FACULTY SENATE
February 27, 2023

APPROVED

PRESENT: Melissa Bagaglio, Will Dalrymple, Kimberly De La Cruz (ASG), Alexandra Doyle Bauer, Kelly Falcone, Molly Faulkner, Jenny Fererro, Shelbi Hathaway, Erin Hiro, Jason Jarvinen, Lawrence Lawson, Leigh Marshall, Leanne Maunu, Ben Mudgett, Michael Mufson, Scott Nelson, Wendy Nelson, Beth Pearson, Nicole Siminski, Alyssa Vafaei, Elena Villa Fernández de Castro, Edwina Williams (ZOOM), Anastasia Zavodny

ABSENT: Lacey Craft

GUESTS: Leah Brown, Catherine Jain, Patriceann Mead, Tanessa Sanchez, Rebecca Wilson

Please note: All votes are presumed unanimous unless indicated otherwise.

CALL TO ORDER The meeting was called to order by Faculty Senate President Wendy Nelson in LRC-116 at 2:30 PM. The meeting was also streamed live on ZOOM.

PUBLIC COMMENTS – No public comments.

ANNOUNCEMENTS

Senate Secretary Molly Faulkner said a very vibrant performing arts season is here. *Rent* opens March 10th so get your tickets early! More information can be found here at www.Palomarperforms.com

Senator and PFF Co-President Lawrence Lawson said faculty can check up on the current negotiations with the District here: <https://www.palomarfacfed.org/contract>

Senator Lawson said the Governing Board is holding a special session on Thursday, March 2 to access the rules for appointing someone to fill the seat that Trustee Garcia recently vacated.

Senator and Curriculum Co-chair Ben Mudgett reported on the common course numbering project. The project held their open meeting on February 23rd where stakeholders from articulation, transfer, curriculum, and multi-college districts with common course numbering discussed implications. The project is moving forward. Discussions included an agreed upon definition, ensuring portability of California community college coursework across the system, minimal agreed upon course standards, and elevating articulation concerns.

Senate Vice President Jenny Fererro said Women's History Month begins March 1. There are a variety of events scheduled and they are listed at <https://www.palomar.edu/empoweredwomen/womens-history-month/>

Senate President Wendy Nelson said all comments and feedback for the Educational Vision Plan were brought back to the taskforce. Some of the suggestions made will be incorporated into the plan including updating some of the objectives under teaching and learning.

President Nelson said there are still several leadership reassigned time positions available for faculty. She asked Senators to consider stepping up to apply for them as well as recruiting and encouraging colleagues to do the same.

President Nelson announced that a survey went out last week to faculty to get feedback on separating the faculty constitution and creating bylaws. Once results are in, Senate will decide next steps with this bifurcation.

President Nelson said the Employee of the Year Taskforce needs a faculty representative to serve on the taskforce. There are two meetings in March and selection is made in early May. The taskforce creates nomination criteria and selects one employee of the year from each of the following groups: Classified Unit, Confidential and Supervisory Team (CAST) and the Administrative Association. Senate Secretary Molly Faulkner volunteered to serve.

AGENDA CHANGES – No agenda changes.

APPROVAL OF MINUTES

Motion 1: MSC Faulkner/Pearson

Faculty Senate approval of Faculty Senate meeting minutes dated February 13, 2023 as amended (Exhibit 1).

Abstention: Alexandra Doyle Bauer

The motion carried.

ACTION

A. Curriculum

Motion 2: MSC Mudgett/Maunu

Faculty Senate approval of Curriculum Committee actions taken February 15, 2023 (Exhibit 2).

The motion carried.

B. Committee on Committees

Motion 3: MSC Zavodny/Doyle Bauer

Faculty Senate approval of committee appointments (Exhibit 3):

The motion carried.

Academic Integrity Taskforce – **Katy Farrell**, Faculty, L&L

Distance Education Committee – **Michael Mumford**, Faculty, AMBA (21-23)

GE Subcommittee – **Seth San Juan**, Faculty, Area 6 Language other than English

General Electives Subcommittee (of Curriculum) – **Rodolfo Jacobo**, Faculty, Area 7 Ethnic Studies

General Electives Subcommittee (of Curriculum) – **Gary Castaneda**, Faculty, American History and Institutions

Regarding the Academic Review Committee, Senators questioned whether it would be more beneficial to retain the seat allocated to Instruction/Library for faculty that represent Instruction/Library. Senator and Chair of Committee on Committees Anastasia Zavodny said opening up committee positions to all faculty occurs when the seat has been vacant for a period of time but it is the prerogative of Faculty Senate to keep the open seat available to Instruction/Library only.

Motion 4: MSC Lawson/Doyle Bauer

Faculty Senate approval to split the confirmations or remove the Academic Review Committee confirmation from Motion 3/Exhibit 3.

The motion carried.

NOTE: The vote on Motion 3 took place after the vote on Motion 4 took place.

Motion 5: MSC Zavodny/Faulkner

Faculty Senate approval to confirm the Academic Review Committee confirmation (Exhibit 3).

Aye: Jason Jarvinen

The motion was not approved.

Motion 6 : MSC Zavodny/Hathaway

Faculty Senate approval to confirm the position for the MSE Interim Dean Hiring Committee (Exhibit 4).

The motion carried.

MSE Interim Dean Hiring Committee – **Adena Issaian**, MSE, Chemistry

Motion 7 : MSC Zavodny/Faulkner

Faculty Senate approval to confirm the uncontested positions for the Dean for SBS Hiring Committee (Exhibit 4).

The motion carried.

Dean of SBS Hiring Committee – **Gina Wilson**, Child Development
Dean of SBS Hiring Committee – **Rodolfo Jacobo**, Ethnic Studies
Dean of SBS Hiring Committee – **Rene Robelin**, ECELS
Dean of SBS Hiring Committee – **Seth San Juan**, American Indian Studies
Dean of SBS Hiring Committee – **R. Dillon Emerick**, Behavioral Sciences
Dean of SBS Hiring Committee – **Anastasia Zavodny**, EHPS

Motion 8 : MSC Zavodny/Bagaglio

Faculty Senate approval to accept the results of the ballot (Exhibit 4):.

The motion carried.

Dean of SBS Hiring Committee – **Dan Early**, Health, Kinesiology & Athletics

C. AB 2449 Vote – Option 1 or Option 2

Motion 9 : MSC Faulkner/Doyle Bauer

Faculty Senate approval to accept the results of the vote (Exhibit 5).

The motion carried.

Option Two

Before the vote took place, President Nelson explained the differences between the two options. She said that it is basically what Senate is doing now but with a few more restrictions. It is unknown which option the Governing Board has chosen. Nelson said she will operationalize the management of this meeting option to ensure Faculty Senate is following the rules.

INFORMATION

A. ASG Report

ASG Vice President of Communications Kimberly De La Cruz gave Senators an ASG update. ASG is utilizing Instagram more now to engage students and said if Faculty Senate wants to share any information of value to the students, ASG would be more than happy to post it on this social platform. ASG just had their retreat this last weekend. Elections for the upcoming academic year will be conducted soon. De La Cruz encouraged Senate to come to ASG meetings on Fridays to share important points that students should know. Club Rush last week was somewhat successful even with the horrible weather students had to contend with. She thanked Faculty Senate for showing her support. President Nelson said she will be creating a sign up sheet so Senators can take turns going to ASG meetings.

B. Governing Board Meeting 2/14 Update

President Nelson, Vice President Jenny Fererro and Senator Lawrence Lawson made the following report:

- The Governing Board approved the Student Equity Plan.
- The Governing Board will appoint a new member to fill District 2, Trustee Garcia's seat rather than conducting a special election (\$600,000 minimum cost for special election).
- A presentation of safety protocols was provided and included campus police safety training, increased campus police presence, panic buttons, expansion of security cameras and the possibility of body cameras.
- An Emergency Conditions Recovery Plan to help get Palomar's enrollment back to pre-COVID numbers was presented and it included information about marketing, outreach and student communication.
- Dean Fabienne Chauderlot's contract was not renewed and she is currently on leave.
- Two newest trustees asked for two reports. Trustees want to know the number of faculty to the number of students per department. They also want a report on Palomar's CTE programs.
- Trustee Kaiser also asked for an FCMAT report and a staffing analysis.
- Trustee Rodriguez asked for AB 705 data and more explanation of what it means to be an HSI focused institution.

It was noted that the new governance structure may have some blind spots or black holes when it comes to transparency on campus regarding issues including security and policing. Decisions are being made without proper discussions. Some Senators also voiced their concern about where the District will be pulling accurate data to respond to some of the report requests.

C. Dean of Instruction Position Proposal (Exhibit 6)

Senate President Nelson shared the exhibit which is a draft prepared a few years back and not a current job description. Senators voiced concerns regarding "the need" without really knowing what this dean will be charged with. The salary grade was questioned. Others were concerned that some departments are being asked to reduce FTES which also means part-time faculty won't have classes. There was also a question asking if the Instruction Office staff could do some of the work this new dean may do.

Senator and TERB Coordinator Kelly Falcone said she would like to have a broader conversation about how Palomar is organized and how deans are structured before developing this position. Compared to other schools our size, Palomar's dean count is low. The dean's workload though is extremely high. Some deans who left Palomar to accept positions at other colleges have said their workload has been reduced by a third. Other schools have a dean of technology and online education; a dean of health sciences and public safety; a dean of exercise, science and athletics. Senator Falcone said Palomar needs to retain their deans. Over the last several years, many deans have not had their contracts renewed. Palomar is known for its high turnover rate for deans so how can that be attractive to qualified candidates.

Senator and DE Coordinator Erin Hiro said she hasn't received enough support from Instruction over the last few years and its support was desperately needed. Maybe an additional dean may alleviate her workload as the DE Coordinator.

Senator and Curriculum Co-Chair Ben Mudgett said he sees the need for this position. Just the amount of legislative changes that have brought pressure onto the Instruction Office is creating incredible capacity issues. This position could

alleviate workload issues for department chairs and other deans. Palomar has over 1,400 active courses making it one of the largest comprehensive community colleges in terms of curriculum in the state. It takes people to manage and oversee it, manage accreditation standards, meet financial aid needs regulations. The stakes are high and he thinks this provides an opportunity for Instruction to provide more services and better response time.

Senator Lawson commented that the district that was so concerned about not going above the 85% threshold now feels like there is enough money to fund a couple of administrators positions.

President Nelson said the instruction workload has ratcheted up significantly since VPI Berta Cuaron's retirement. The volume of work coming to us from the Chancellor's Office is overwhelming. Colleges are required to implement new requirements and programs with sometimes little guidance. Nelson said some of the email feedback echoes what was said here and includes inquiries about when support staff (ADAs) will be hired back to provide the much needed support that departments need. VP Fererro said the District does have a staffing plan for classified and support staff.

President Nelson said more feedback can be sent her way and she will include it in her discussion with President Rivera-Lacey.

D. Committee Reports – Tabled

E. FSA Update – Tabled

F. Student Success Teams Pilot Update – Tabled

REPORTS

President (Nelson)

During the last two weeks I attended the following meetings: Budget Committee (report below), Governing Board, EVP Taskforce, Resource Allocation Meeting, Faculty Senate Council meeting and a 1:1 with VPI.

Here are some highlights:

Resource Allocation Meeting – We discussed the process for distributing funds for PRP requests. We also discussed the need to reevaluate the PRP timeline in the fall and consider moving it to the spring.

EVP Taskforce meeting – I provided our consultants with the Senate's suggestions/edits to the Goals/Objectives in advance of the meeting. Some of the suggestions were accepted, others were not. Probably, the most important suggestion to add a goal focusing on teaching/learning was not accepted. Several faculty members, including myself pushed back and asked that we add that goal. A meeting has been scheduled to discuss the suggestion further.

1:1 with VPI Recalde – We discussed the reassigned time positions and changes in instructional leadership positions. She also agreed that it would be beneficial to attend a Senate meeting and she will attend the March 6 meeting.

Accreditation (Versaci)

The Accreditation Writing Leadership Team (AWLT) met this past Tuesday, 2/14 to review the updates from various workgroups on the compliance projects. I reviewed those drafts and made notes, and Michelle Barton and I are planning to meet next week to discuss. Everything is on track for the response timeline.

Budget (Nelson)

The meeting began with a Governor's Proposed Budget presentation by Barbara Baer. Below are the highlights of the proposed budget (although it is subject to change). We also discussed the draft budget calendar for FY 2023-2024 and the quarterly financial report for Q2.

- COLA is 8.13% applied across the board for SCFF (\$8.7 billion to \$9.1 billion) and many of the largest categorical funding.
- Funding is included to support enrollment growth of 0.5% (\$28.8 million)
- A new allocation of \$200 million one-time funds is proposed to support community college efforts on retention and enrollment.

- Continuation of \$200 million for part-time health insurance reimbursements.
- Continuation of full-time hiring funds.

Distance Education (Hiro)

The Distance Education committee met Feb. 15 and focused on updating AP 4105. We are revamping the policy to adhere to new standards from the state and federal government. There are several changes but the major two ones:

1. Updating the class formats and make sure they are written in student-centered language.
2. Whether to accept the state and federal changes to allow an opt out for faculty on student-to-student and student-to-teacher interaction.

The DE Committee is also working with Instruction, ATRC and Curriculum on this policy change. We hope to vote on a recommendation in two weeks and bring it to the Senate in March.

Faculty Service Areas (Jarvinen)

On 2.21.2023 the FSA Committee reviewed and approved an individual FSA application.

PFF (Lawson)

Your faculty Union is, as always, hard at work maintaining, defending, and improving faculty working conditions. We're currently deep into three-year negotiations, and you can find updates on the PFF website. As well, we are looking into matters regarding pay, contractual coordinating positions, STRS questions, course scheduling concerns, and evaluation process questions. As of writing, we are also eager to learn what the Governing Board may decide in regards to filling former Trustee Christian Garcia's vacated Governing Board seat--appointment or election. We also feel dismay at yet another Governing Board vacancy that could potentially cost the District money (elections aren't cheap).

In other news, PFF proudly participated in the PBFS Black History Month Fair and looks forward to supporting and participating in more events on campus throughout the semester.

As always, please reach out to your co-Presidents (Lawrence Lawson and Barbara Baer) with any questions or concerns. There is good work we're required to do for all faculty, but there is also much more work we're able to do for Union members. If you're enjoying the benefits of Union activities (e.g., COLA) but you are not yet a member, please consider joining. There are many more benefits, and you can feel good contributing to our faculty's collective well-being.

Sabbatical Leave (Epstein)

Meeting report from February 9, 2023:

1. The committee finalized approvals for nearly all 2023-2024 sabbatical leave proposals. Those approved will be sent to the President and Board for final approval.
2. The committee has agreed to revise the salary credit application form to better instruct faculty in understanding what lower-division courses will be approved by the committee.
3. The committee agreed to plan a training for chairs to take place at the end of the academic year to help them better understand the process for approving proposals from faculty in their departments.

Student Learning Outcomes (Bealo/Tavakkoly)

SLOC met February 16, 2023.

We are working with IRP to compile a report on the Critical Thinking ILO that was assessed Fall 2022. This semester we will be assessing the Teamwork ILO. Details for the SLO Facilitator Training for Spring 2023 will be sent out within the next few weeks.

TERB (Falcone)

TERB Update:

- Please help increase student evaluation response rates:
 - If you are being evaluated this semester, please be sure to [enable the Canvas course menu item titled "Student Course Evaluations"](#). After it is enabled, you will not see it in your Canvas menu, only students will see it and they will only see it if there is an evaluation that they need to complete.
 - Faculty receive an email when your student evaluations launch. When you get this email, reach out to your students and encourage them to complete the evaluation.
 - If you are observing a F2F class, take a few minutes of the class time and ask the evaluatee to step outside. When they are out of the class, explain to the students the importance of completing the student evaluation and make sure they know how to access the student evaluation. You can utilize the following website to show students how to access their student evaluations:
<https://www.palomar.edu/tenureandevaluations/for-students-how-to-access-and-complete-student-course-evaluations/>
- The TERB Committee is working on the following goals:
 - Revise the Teaching Forms to make them more consistent and ensure the supplemental forms, such as the student eval questions and observation questions, align with the final evaluation report. Teaching forms will be the first forms reviewed/revised and will be followed by non-instructional forms. After the TERB Committee develops their final drafts, they will come to senate for review and then to the PFF for approval.
 - Develop one TERB Calendar that is inclusive of all of the evaluation types, includes the roles/responsibilities of all involved, and is based on weeks of the semester.
 - Develop TERB training to include training for Department Chairs and training for Evaluators.
 - More clearly differentiate between what is considered disciplinary and what is considered evaluative.
 - Work on the feasibility of having student evaluations in all courses.

ADJOURNMENT The meeting was adjourned at 3:56 PM.

Respectfully submitted,

Molly Faulkner

Molly Faulkner, Secretary

March 1, 2023 Curriculum Committee Actions

Item G. from BoardDocs Agenda

The following curriculum changes, pending appropriate approvals, will be effective fall 2023:

G.1. ACTION: Noncredit Course Changes - effective fall 2023										
	Subj	Nmbr	Title	Trnsf.	Dist.	Grad.	Open	Justification	Reqs.	Originator
				Ed.		Basis	Entry /Exit			
A.	N ESL	982	Computer Skills 1 - Foundational Skills	No	Yes	P/NP/SP	No	- SLO changes to match objectives and content - Objective and content changes to better match what students want to learn and to more accurately reflect the amount of content that can be covered in this class.		Tina-Marie Parker
B.	N ESL	983	Computer Skills 2 - Office Applications	No	Yes	P/NP/SP	No	-updated SLOs to match course objectives and content - updated course objectives and content to cover fewer topics more in-depth.		Tina-Marie Parker

G.2. ACTION: Distance Education - effective fall 2023									
The following courses may be offered as distance learning and meet Title 5 Regulation 55200-55210, effective fall 2023									
	Course Number	Course Title							
A.	N ESL	982	Computer Skills 1 - Foundational Skills						Tina-Marie Parker
B.	N ESL	983	Computer Skills 2 - Office Applications						Tina-Marie Parker

Item H. from BoardDocs Agenda

The following curriculum changes, pending appropriate approvals, will be effective spring 2023:

H.1. ACTION: Distance Education and Course Reviews									
The following courses have completed the course review approval process. Those eligible to be taught Distance Education meet Title 5 Regulations 5200-5521 and are indicated below. Since these updates have no impact on catalog or college data, they are effective spring 2023.									
	Subj	Nmbr	Title	Dist.				Originator	
A.	AP AC	708	Soffits	No				Jason Jarvinen	
B.	AP C	701	Orientation	No				Jason Jarvinen	
C.	AP C	703	Printreading	No				Jason Jarvinen	
D.	AP C	712	Column Forms	No				Jason Jarvinen	
E.	AP C	713	Beam and Deck Forming	No				Jason Jarvinen	
F.	AP C	719	Exterior Finish Details	No				Jason Jarvinen	
G.	AP C	725	Transit Level/Laser	No				Jason Jarvinen	
H.	AP C	729	Cabinet Millwork and Assembly	No				Jason Jarvinen	
I.	AP C	737	Door and Door Frames	No				Jason Jarvinen	

March 1, 2023 Curriculum Committee Actions

J.	AP C	745	Commercial Fixtures	No	Jason Jarvinen
K.	AP C	757	Specialty Scaffold Applications	No	Jason Jarvinen
L.	AP C	761	Basic Wall Framing	No	Jason Jarvinen
M.	AP C	765	Rigging	No	Jason Jarvinen
N.	AP C	772	Solar Installer Level 1	No	Jason Jarvinen
O.	AP C	776	Total Station I	No	Jason Jarvinen
P.	AP C	780	Fitting Rooms/Partitions	No	Jason Jarvinen
Q.	AP C	781	Industrial Scaffolding	No	Jason Jarvinen
R.	AP DL	711	Light Gage - L.A. City Certification	No	Jason Jarvinen
S.	AP DL	712	Basic Hand Finishing	No	Jason Jarvinen
T.	AP DL	717	Free-Form Lathing	No	Jason Jarvinen
U.	AP DL	718	Automatic Finishing Tools	No	Jason Jarvinen
V.	AP DL	720	Drywall Installation/Finish Trims	No	Jason Jarvinen
W.	AP DL	726	Reinforced Substrate Installations	No	Jason Jarvinen
X.	AP DL	729	Advanced Metal Framing	No	Jason Jarvinen
Y.	AP IT	707	Motor Control, Safety Training and Certifications	No	Jason Jarvinen
Z.	AP PL	709	Interior Plastering	No	Jason Jarvinen
A.A.	HUM	101	Introduction to Humanities II	Yes	Leanne Maunu

Item I. from BoardDocs Agenda

The following technical corrections, pending appropriate approvals, will be effective fall 2023:

I.1. ACTION: New Credit Program Technical Correction - effective fall 2023						
Program Title		Disci.	Awrd	Units	Justification	Orig.
A.	Coaching	KINE	CA	14-15	In service to the community, we seek to prepare future coaches and create more opportunities to serve our College and diverse community. CSUSM does not currently offer this program which is why they have endorsed this certificate. Our sister college, MiraCosta, also does not offer any similar certificate. There are currently a handful of community colleges in the state that offer a Coaching Certificate (Rio Hondo, Monterey Peninsula, East LA). We want to continue to evolve and expand the program with active input from our Community Advisory Council. <i>Units were adjusted to fall within the correct certificate guidelines. Previous approved units exceeded certificate parameters. c.kearse</i>	Leigh Marshall

Faculty Service Areas (FSAs) at Palomar College

In Fall 2022, the Faculty Service Area Committee reviewed how several other California Community Colleges manage their Faculty Service Areas. A big thank you to Cathy Jain for undertaking the review!

The committee had a full discussion about the review. The committee decided it would like to recommend to the Senate and the Palomar Faculty Federation to consider removing FSAs from the lateral transfer process (PFF Contract 20.2.1.1., BP 7211).

The committee also decided to bring two questions to Faculty Senate for a broader discussion:

1. Should the college standardize its FSA competency standards?
2. Should we otherwise streamline the FSA process?

Background

- FSAs are established in the portion of Ed Code related to Reduction in Services (Article 6.5 87743 – 87746).
- “As used in this chapter, faculty service area means a service or instructional subject area or group of related services or instructional subject areas performed by faculty and established by a community college district.” (87743.1)
- “Each faculty member shall qualify for one or more faculty service areas at the time of initial employment. A faculty member shall be eligible for qualification in any faculty service area in which the faculty member has met both minimum qualifications pursuant to Section 87356 and district competency standards.” (87743.3)
- According to ASCCC: “FSAs have only one purpose: they determine the order by which faculty may be laid off when a district is facing a reduction in force – lay offs of full-time faculty.” (Qualifications for Faculty Service in the California Community Colleges: Minimum Qualifications, Placement of Courses within Disciplines, and Faculty Service Areas, the Academic Senate for California Community Colleges).

FSAs at Palomar College

- FSAs are discussed in AP and BP 7211: “FSAs provide one element for determining faculty seniority and order of layoff when a reduction-in-force is being effected under the Education Code. FSAs are also used to determine eligibility for lateral transfer to other faculty positions.” (BP 7211)
- FSAs are also discussed in the PFF Contract (20.2.1.1): “At any time, a tenured (regular) and/or probationary (contract) faculty member may request in writing a voluntary

reassignment to a vacant or new position. The request shall be submitted to the Assistant Superintendent/Vice President for Human Resource Services. The district will consider any such written request as long as the faculty member meets the minimum requirements for the vacant or new position sought, possesses the Faculty Service Area (FSA) for the vacant or new position sought, and has not received a Substandard Performance or Unsatisfactory evaluation within the last five (5) years.”

Recommended Change

The FSA Committee recommends removing FSAs from the lateral transfer process. Making the FSA a requirement for a lateral transfer potentially creates a higher bar for lateral transfer applicants than for new applicants to the college. As ASCCC makes clear, FSAs are intended solely for reduction-in-force situations.

Additional Questions for Senate Discussion

The review of several other California community college’s approach to FSAs found:

- Some districts – like Palomar College – construct discipline-specific FSAs with competency standards written by discipline-specific faculty.
- Other colleges have a college-wide competency standard that applies to all disciplines. Santa Barbara City College is an example: “To be ‘competent’ as defined by the district, the faculty member must have taught nine TLUs in the FSA (or equivalent for educational support faculty members) in the SBCC credit program in the three academic calendar years prior to the application for an additional FSA. In order to retain an additional FSA, the faculty member must have maintained nine TLUs in that FSA within the prior three academic calendar years.” (Santa Barbara Community College District AP 7211)
- At least one district (Skyline College) defines competence as meeting the minimum qualifications.

The committee discussed some of the advantages and disadvantages of adopting another approach to FSA competency standards, such as a college-wide standard. On the one hand, a college-wide competency standard could enhance equity by reducing unnecessary barriers. It would also significantly streamline the process of reviewing and updating discipline FSAs. On the other hand, over the past few years, the committee has put a lot of work into developing the current process and bringing discipline FSAs up-to-date. The process works. It might make more sense to keep the current process in place and reevaluate in the future.

The committee felt these were big questions that warranted broader conversation by the Faculty Senate.

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EDUCATION CODE - EDC**TITLE 3. POSTSECONDARY EDUCATION [66000 - 101149.5]** (Title 3 enacted by Stats. 1976, Ch. 1010.)**DIVISION 7. COMMUNITY COLLEGES [70900 - 88933]** (Division 7 enacted by Stats. 1976, Ch. 1010.)**PART 51. EMPLOYEES [87000 - 88280]** (Part 51 enacted by Stats. 1976, Ch. 1010.)**CHAPTER 3. Employment [87400 - 87885]** (Chapter 3 enacted by Stats. 1976, Ch. 1010.)**ARTICLE 6.5. Reduction in Services [87743 - 87746]** (Heading of Article 6.5 added by Stats. 1981, Ch. 470, Sec. 387.)

87743. No tenured employee shall be deprived of his or her position for causes other than those specified in Sections 87453, 87467, and 87484, and Sections 87732 to 87739, inclusive, and no probationary employee shall be deprived of his or her position for cause other than as specified in Section 87740 except in accordance with the provisions of Section 87463 and Sections 87743 to 87762, inclusive.

Whenever in any school year the average daily attendance in all of the schools of a district for the first six months in which school is in session shall have declined below the corresponding period of either of the previous two school years, or whenever a particular kind of service is to be reduced or discontinued not later than the beginning of the following school year, and when in the opinion of the governing board of the district it shall have become necessary by reason of either of these conditions to decrease the number of tenured employees in the district, the governing board may terminate the services of not more than a corresponding percentage of the employees of the district, tenured as well as probationary, at the close of the school year. However, the services of no tenured employee may be terminated under this section while any probationary employee, or any other employee with less seniority, is retained to render a service in a **faculty service area** in which the records of the district maintained pursuant to Section 87743.4 reflect that the tenured employee possesses the minimum qualifications prescribed by the board of governors and is competent to serve under district competency criteria.

Notice of the termination of services either for a reduction in attendance or reduction or discontinuance of a particular kind of service to take effect not later than the beginning of the following school year, shall be given before the 15th of May in the manner prescribed in Section 87740 and services of the employees shall be terminated in the inverse of the order in which they were employed, as determined by the board in accordance with Sections 87413 and 87414. In the event that a tenured or probationary employee is not given the notices and a right to a hearing as provided for in Section 87740, he or she shall be deemed reemployed for the ensuing school year.

The board shall make assignments and reassignments in a manner that employees shall be retained to render any service which their seniority and qualifications entitle them to render.

(Amended by Stats. 1988, Ch. 973, Sec. 51.5. Operative July 1, 1990, pursuant to Sec. 70(d) of Ch. 973.)

87743.1. As used in this chapter, "faculty service area" means a service or instructional subject area or group of related services or instructional subject areas performed by faculty and established by a community college district.

(Added by Stats. 1988, Ch. 973, Sec. 52. Operative July 1, 1990, pursuant to Sec. 70(d) of Ch. 973.)

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.

(Added by Stats. 1988, Ch. 973, Sec. 53. Operative July 1, 1990, pursuant to Sec. 70(d) of Ch. 973.)

87743.3. Each faculty member shall qualify for one or more faculty service areas at the time of initial employment. A faculty member shall be eligible for qualification in any faculty service area in which the faculty member has met both minimum qualifications pursuant to Section 87356 and district competency standards. After initial employment, a faculty member may apply to the district to add faculty service areas for which the faculty member qualifies. The application shall be received by the district on or before February 15 in order to be considered in any proceeding pursuant to Section 87743 during the academic year in which the application is received. Any dispute arising from an allegation that a faculty member has been improperly denied a faculty service area shall be classified and procedurally addressed as a grievance. If the district has no grievance procedure, fair and equitable procedures for the resolution of the disputes shall be developed by the academic senate and representatives of the governing board.

(Added by Stats. 1988, Ch. 973, Sec. 54. Operative July 1, 1990, pursuant to Sec. 70(d) of Ch. 973.)

87743.4. Each district shall maintain a permanent record for each faculty member employed by the district of each faculty service area for which the faculty member possesses the minimum qualifications for service and in which he or she has established competency pursuant to district competency standards. The record shall be contained in the faculty member's personnel file.

(Added by Stats. 1988, Ch. 973, Sec. 55. Operative July 1, 1990, pursuant to Sec. 70(d) of Ch. 973.)

87743.5. To determine competency to serve in a faculty service area for the purposes of Section 87743, each community college district shall, not later than July 1, 1990, establish competency criteria for faculty members employed by the district. The development and establishment of such competency criteria shall be within the scope of meeting and negotiating pursuant to Section 3543 of the Government Code.

(Added by Stats. 1988, Ch. 973, Sec. 56. Operative July 1, 1990, pursuant to Sec. 70(d) of Ch. 973.)

87744. Any regular employee whose services have been terminated, as provided in Section 87743, shall have the following rights:

(a) For the period of 39 months from the date of the termination, any employee who in the meantime has not attained the age of 70 years shall have the preferred right to reappointment, in the order of original employment as determined by the board in accordance with Sections 87405 to 87424, inclusive, if the number of employees is increased or the discontinued service is reestablished, with no requirements that were not imposed upon other employees who continued in service. However, no contract or other employee with less seniority shall be employed to render a service for which the employee meets minimum qualifications and is competent to render.

(b) The right to reappointment may be waived by the employee, without prejudice, for not more than one college year, unless the board extends this right, but such a waiver shall not deprive the employee of his or her right to subsequent offers of reappointment.

(c) As to any employee who is reappointed, the period of his or her absence shall be treated as a leave of absence and shall not be considered as a break in the continuity of his or her service, he or she shall retain the classification and order of employment he or she had when his or her services were terminated, and credit for prior service under any state or district retirement system shall not be affected by that termination, but the period of his or her absence shall not count as a part of the service required for retirement.

(d) During the period of his or her preferred right to reappointment, the employee, in the order of original employment, shall be offered prior opportunity for temporary service during the absence of any other employee who has been granted a leave of absence or who is temporarily absent from duty. However, his or her services may be terminated upon the return to duty of the other employee, the compensation he or she receives shall be not less than the amount he or she would receive if he or she were being reappointed, and that the temporary service shall not affect the retention of his or her previous classification and rights.

(e) At any time prior to the completion of one year after his or her return to service, he or she may continue or make up, with interest, his or her own contributions to any state or district retirement system, for the period of his or her absence, but it shall not be obligatory on a district to match these contributions.

(f) If the employee becomes disabled or reaches retirement age at any time before his or her return to service, he or she shall receive, in any state or district retirement system of which he or she was a member, all benefits to which he or she would have been entitled had the event occurred at the time of his or her termination of service, plus any benefits he or she may have qualified for thereafter, as though still employed.

(Amended by Stats. 1995, Ch. 758, Sec. 169. Effective January 1, 1996.)

87745. Any contract employee whose services have been terminated as provided in Section 87743 shall have the following rights:

(a) For the period of 24 months from the date of the termination, any employee who in the meantime has not attained the age of 70 years shall have the preferred right to reappointment, subject to the prior rights to reappointment by all regular employees as set forth in Section 87744, in the order of original employment as determined by the governing board in accordance with Sections 87405 to 87424, inclusive, if the number of employees is increased or the discontinued service is reestablished, with no requirements that were not imposed upon other employees who continued in service. However, no contract or temporary employee with less seniority shall be employed to render a service for which the employee meets minimum qualifications and is competent to render.

(b) As to any employee who is reappointed, the period of his or her absence shall be treated as a leave of absence and shall not be considered as a break in the continuity of his or her service, he or she shall retain the classification and order of employment he or she had when his or her services were terminated, and credit for prior service under any state or district retirement system shall not be affected by the termination. However, the period of his or her absence shall not be counted as a part of the service required for attaining regular status in the district or, except as provided in subdivision (c), for retirement purposes.

(c) During the period of his or her preferred right to reappointment, the employee, in the order of original employment and subject to the rights of regular employees as set forth in Section 87744, shall be offered prior opportunity for temporary service during the absence of any other employee who has been granted leave of absence or who is temporarily absent from duty. However, his or her services may be terminated upon a return to duty of the other employee, such temporary service shall not affect the retention of his or her previous classification and rights.

(d) At any time prior to the completion of one year after his or her return to service, an employee reappointed under this section may elect to continue or to reinstate his or her membership and interest in any state or district retirement system and to receive retirement benefits as if no absence from service had occurred. In the event of such an election, the employee shall pay into the retirement system the amount of his or her share of contribution and the district's share of contribution attributable to the period of absence and the amount of any contributions withdrawn, plus interest.

(Amended by Stats. 1995, Ch. 758, Sec. 170. Effective January 1, 1996.)

87746. If the services of any contract employee are terminated, or if such an employee is dismissed, because of a reduction in the attendance of students or the discontinuance of a particular kind of service, and the employee is reemployed within a period of 39 months from the last day of the college year within which his or her service was so terminated, or within 39 months after the cessation of hostilities, if the reduction in attendance or discontinuance of service was due to war conditions, the period of the employee's absence shall not count as a part of the service required as a condition precedent to the classification of the employee as a regular employee of the district, but the absence shall not be construed as a break in the continuity of the service of the employee.

Every contract employee who has been reemployed as indicated in this section shall have all of the rights enumerated in Section 87463 and Sections 87743 to 87762, inclusive, for regular employees, except the right of reappointment, subject only to the prior rights of regular employees.

(Amended by Stats. 1995, Ch. 758, Sec. 171. Effective January 1, 1996.)

Qualifications for Faculty Service In The California Community Colleges:

MINIMUM QUALIFICATIONS, PLACEMENT OF COURSES WITHIN DISCIPLINES,
AND FACULTY SERVICE AREAS

Prepared by the **Standards and Practices Committee**
of the Academic Senate for California Community Colleges

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Table of Contents

ABSTRACT	1
INTRODUCTION	2
THE DISCIPLINES LIST AND MINIMUM QUALIFICATIONS	3
EQUIVALENCY ISSUES.	6
LOCALLY ESTABLISHED REQUIREMENTS	9
PLACEMENT OF COURSES WITHIN DISCIPLINES	10
FACULTY SERVICE AREAS (FSAS)	12
CONCLUSION	13
RECOMMENDATIONS FOR LOCAL SENATES	14
REFERENCES	15
APPENDIX A: EDUCATION CODE SECTIONS ON MINIMUM QUALIFICATIONS.	16
APPENDIX B: SINGLE COURSE EQUIVALENCIES	38

Faculty Service Areas (FSAs)

In addition to understanding how minimum qualifications (including equivalency) dictate what discipline a faculty member may teach in and how placement of courses within disciplines affect teaching assignments, we need to understand how FSAs come into play. AB 1725 requires that each local governing board, working with its faculty bargaining agent—in consultation with the local academic senate—establish faculty service areas.

Each faculty member upon hire is assigned a FSA or multiple FSAs depending on his or her qualifications. FSAs have only one purpose: they determine the order by which faculty may be laid off when a district is facing reduction in force – lay offs of full-time faculty. (For the conditions under which a district may initiate faculty lay-offs, see Education Code §87743).

Districts have different patterns for FSAs. Some have aligned all or most FSAs with the disciplines list. Others have sub-divided disciplines. For example, journalism might be recognized as an FSA sub-division of

English. Other districts have added competency requirements such as recency to some or all of their FSAs. Taking the opposite approach, other districts have broad areas, such as *language arts*, which may include English, speech, reading, and foreign language. A few districts have just one FSA for all faculty members.

This variation of pattern is a result of different values faculty and their governing boards held when agreeing to their initial FSAs. The broader the FSA the greater security for faculty with older credentials that allow them to teach in a range of disciplines. The narrower the FSAs the easier it is for disciplines to maintain their more recently qualified faculty at the expense of those holding the older credentials.

We can readily see what problems occur when districts with broadly defined FSAs, those that include more than one discipline, lay off faculty. First, there is some question about the consistency of broadly defined FSAs. The Education Code, §87743.3 states that “...a faculty member shall be eligible for qualification in any faculty service area in which the faculty member has met both minimum qualifications...and district competency standards.” Faculty members hired under minimum qualifications, as opposed to those with old (but

“FSAs have only one purpose: they determine the order by which faculty may be laid off when a district is facing reduction in force – lay offs of full-time faculty...”

still valid) credentials, do not necessarily qualify for all disciplines under a broadly defined FSA and so might not truly qualify to teach courses in all disciplines included in an FSA that they are assigned at the time of hire.

In addition, if faculty with grand-fathered credentials are retained because they qualify for a broader range of disciplines when more recently hired faculty are laid off, the district may find that it has a shortage of faculty members to teach a discipline (or courses within a discipline) and therefore may not be able to provide students with certain course offerings. For instance, suppose a newly hired French instructor is laid off from the Language Arts FSA and that leaves no full-time French instructor. Others in the Language Arts FSA include speech, reading, and English faculty, but none of these faculty members may have the statewide minimum qualifications to teach French courses.

“Since community colleges have not had much occasion to lay off faculty in the past decade or so, most of us have paid little attention to how FSAs are established. Perhaps it is time to re-evaluate our local policies and procedures in this vital area, especially in these times of financial uncertainty...”

Since community colleges have not had much occasion to lay off faculty in the past decade or so, most of us have paid little attention to how FSAs are established. Perhaps it is time to re-evaluate our local policies and procedures in this vital area, especially in these times of financial uncertainty.

Conclusion

The writers of AB 1725 recognized that for the state’s community colleges to fulfill its role as a partner in providing high quality post-secondary education to Californians it needed to ensure that the colleges would hire fully qualified faculty. To achieve this goal the authors of this watershed legislation authorized the faculty to play a central role in establishing qualifications for hire, determining under which disciplines courses should be placed, and developing reasonable rules to use when faculty lay-offs became necessary. It is the responsibility of California’s community college faculty to fulfill its responsibilities to keep the community college teaching profession strong.

Recommendations for Local Senates

1. Encourage all faculty involved in your college's hiring processes to read this paper and other resources, such as *Minimum Qualifications for Faculty and Administrators* (2003), and the Academic Senate's paper *Equivalence to the Minimum Qualifications* (1999).
2. Access the Academic Senate web site (www.academicssenate.cc.ca.us) for other resources that help educate faculty about their professional responsibilities in maintaining reasonable qualifications for hire and placing courses within disciplines.
3. Encourage all faculty, especially those involved your college's processes for placing courses within disciplines, to read this paper.
4. Encourage cooperation between your district's bargaining agent and academic senate and others, such as department chairs, to establish faculty service areas that protect the integrity of disciplines on our campus.
5. Become involved in revising the Disciplines List (*Minimum Qualifications*). The Academic Senate relies on suggestions from those at the colleges to suggest changes that keep the Disciplines List current. New disciplines emerge with the discovery of new knowledge and the use of new technologies.
6. Work towards creating an equivalency policy in your district that is both fair and reasonable. Keep in mind that *equivalent* means having *qualifications at least equivalent to those specified* (Education Code, §87359).
7. Consider the impact on diversity of any policies and procedures affecting hiring.
8. Work with your local bargaining agent (i.e., union) to evaluate your district's Faculty Service Area (FSA) policy and procedures to see whether they help protect your college's programs.
9. When reaching agreement on issues about competency of faculty becomes difficult, seek the help of the statewide Academic Senate (www.academicssenate.cc.ca.us).

References

Academic Senate for California Community Colleges. (1999). *Equivalence to the Minimum Qualifications* (1999). Sacramento, CA.
http://www.academicssenate.cc.ca.us/Publications/Papers/Equivalence_minimum99.html

Academic Senate for California Community Colleges. (1999). *Placement of Courses within Disciplines* (1994). Sacramento, CA. Spring 1994
http://www.academicssenate.cc.ca.us/Publications/Papers/Discipline_placement.htm

Chancellor's Office California Community College. (2004). *Minimum Qualifications for Faculty and Administrators in California Community Colleges*. Sacramento, CA.
http://www.cccco.edu/divisions/hr/f_sdev/min_qual/min_qual.pdf

HUMAN RESOURCES**BP 7211 FULL-TIME FACULTY SERVICE AREAS AND COMPETENCIES****References:**

Education Code Sections 87001, 87003, and 87743 et seq.;
Title 5 Sections 53400 et seq.;
Article 18, PFF Contract

Faculty Service Area (FSA) means a service or instructional subject area or group of related services or instructional subject areas performed by full-time faculty and established by a community college district. At a minimum, an FSA must consist of the minimum qualifications for a discipline as established by the Board of Governors. FSAs may also contain District competency standards, developed by appropriate discipline faculty, consisting of criteria pertaining to the discipline, such as recency, nature and breadth of relevant experience, and special skills necessary to the position.

The Faculty Senate, in consultation with the Palomar Faculty Federation (PFF), makes recommendations of Faculty Service Areas to the Governing Board. The Governing Board may add to, delete or modify the FSAs upon positive recommendation of the Superintendent/President and after both the PFF and the Faculty Senate have had a reasonable opportunity for input. The listing of FSAs shall be contained in the PFF collective bargaining agreement.

A faculty member is eligible to serve in an FSA if he/she satisfies both the minimum qualifications for the position and associated District competency standards. Each faculty member shall qualify for and be assigned the FSA(s) in the discipline(s) in which the Governing Board has authorized him/her to teach.

The application of Faculty Service Areas and competencies shall be consistent with applicable non-discrimination and equal employment opportunity laws and regulations as well as relevant District policies and procedures and applicable collective bargaining agreements.

FSAs provide one element for determining faculty seniority and order of layoff when a reduction-in-force is being effected under the Education Code. FSAs are also used to determine eligibility for lateral transfer to other faculty positions.

Details on faculty minimum qualifications and competency standards are contained in BP/AP 4015 titled Minimum Qualifications and Equivalencies. Also see: BP/AP 3420 titled Equal Employment Opportunity; BP/AP 7120 titled Recruitment and Hiring; AP 7211 titled Faculty Service Areas and Competencies; and AP 7231 titled Seniority.

HUMAN RESOURCES**AP 7211 FULL TIME FACULTY SERVICE AREAS AND COMPETENCIES****References:**

Government Code Sections 995 et seq.;
Education Code Sections 87001, 87003, 87356, 87359, and 87743 et seq.;
Title 5 Sections 53400 et seq.;
Accreditation Standard III.A.2-4

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

Each faculty member shall qualify for one or more faculty service areas at the time of initial employment.

New faculty members will be assigned faculty service areas by their hiring departments at the time of initial employment. These assignments will be based upon the minimum qualifications pursuant to Education Code Section 87356.

The Human Resources Office shall maintain a permanent record for each faculty member employed by the District. The record shall contain each faculty service area which the faculty member possesses, the minimum qualifications for service, and in which faculty service areas they have established competency pursuant to District competency standards. Every three years, the Faculty Senate shall review the faculty service areas for completeness and currency.

A faculty member shall be eligible for qualification in any faculty service area in which the faculty member has met both minimum qualifications and District competency standards. After initial employment, a faculty member may apply to the District to add faculty service areas for which the faculty member qualifies. The burden of providing documentation and satisfactory proof of qualification for additional faculty service areas resides with the employee. The application shall be received by the District on or before February 15 in order to be considered in any proceeding pursuant to Education Code Section 87743 during the academic year in which the application is received. Any dispute arising from an allegation that a faculty member has been improperly denied a faculty service area shall be classified and procedurally addressed as a grievance as described in this AP and related procedures.

Date Approved: 4/21/15; Revised: 2/6/18; Revised: 12/10/21

(Replaces Palomar Policies 154.2, 154.21, 154.3, 154.31, 176, Palomar Procedures 154.21, 154.3, 154.4, 176, and all previous versions of AP 7211.)

Review and Grievances

The Faculty Senate FSA Review Committee will consist of an administrator with faculty service area responsibility, faculty members from each academic division appointed by Faculty Senate, one counselor and one librarian appointed by the Faculty Senate, and one faculty member appointed by the PFF. This committee will review applications for additional faculty service areas and issues of competence for reassignment purposes.

Disputed decisions of the reviewing committee will be adjudicated by a grievance committee of three tenured faculty members appointed by the Faculty Senate. No member of the grievance committee may sit on the reviewing committee. The decision of the grievance committee shall be final.

In the event that suit is brought against any District employee who participated in the faculty service area process as a result of such participation, the District shall provide for the legal defense of the employee subject to the provisions of applicable law.

Current Faculty Service Areas and Competencies can be found in the collective bargaining agreement between the District and the PFF.

Also see the District's competency standards.

Office of Primary Responsibility: Human Resource Services

Date Approved: 4/21/15; Revised: 2/6/18; Revised: 12/10/21

(Replaces Palomar Policies 154.2, 154.21, 154.3, 154.31, 176, Palomar Procedures 154.21, 154.3, 154.4, 176, and all previous versions of AP 7211.)

affected Dean(s) or first-level educational administrator(s) in charge of the departments, the affected Department Chairs, and a majority of the tenured and tenure-track faculty in the department(s) affected by the transfer. Following notification of the request for transfer, the affected departments will have 30 calendar days to approve the request.

20.2.1.3 The District retains the right to deny any request for a voluntary transfer and reserves the right to employ a new faculty member for any vacant or new position.

20.2.1.4 If requested by a faculty member, a conference will be held with the affected Vice President(s) to discuss the reason(s) for the denial of the faculty member's request for a voluntary transfer. A PFF representative also may attend such conference at the request of the faculty member.

20.2.2 Voluntary Transfer: Shared Voluntary Transfer, 50/50 Load

20.2.2.1 At any time, tenured (regular) faculty members may request in writing a voluntary shared reassignment to a vacant or new position. The request shall be submitted to the Assistant Superintendent/Vice President for Human Resource Services. The District will consider any such written request as long as the faculty members meet the minimum requirements for the vacant or new position sought, possess the Faculty Service Area (FSA) for the vacant or new position sought, and have not received a *Substandard Performance* or *Unsatisfactory* evaluation within the last five (5) years. A vacant or new position will normally be advertised no fewer than ten (10) calendar days.

20.2.2.2 The following individuals and groups must approve a voluntary transfer: the affected Vice President(s), the affected Dean(s) or first-level educational administrator(s) in charge of the departments, the affected Department Chairs, and a majority of the tenure and tenure-track faculty in the department(s) affected by the transfer. Following notification of the request for transfer, the affected departments will have 30 calendar days to approve the request.

20.2.2.3 The District retains the right to deny any request for a voluntary transfer (shared load) and reserves the right to employ a new faculty member for any vacant or new position.

- 20.1.6 If a faculty member receives any payment from an insurance carrier for any loss, damage or destruction of personal property, any District reimbursement for that property under this Article shall be reduced by the amount of that payment. If the insurance payment is received after the District has reimbursed the faculty member, the faculty member shall refund to the District a sum equal to the insurance payment. Such a refund shall not exceed the actual reimbursement made by the District. The District shall have all rights of subrogation and the faculty member shall fully cooperate with the District in pursuing such rights.
- 20.1.7 These provisions shall not restrict a faculty member from bringing personal property onto the property of the District at the faculty member's own risk, and shall not restrict a faculty member from using personal property at his/her own risk during the course and scope of employment.
- 20.1.8 The District shall reimburse for the actual value of the item up to the maximum allowable amount. However, the District may instead choose to reimburse on the basis of reasonable repair cost if it is economical and feasible to do so, and if the repair cost does not exceed the maximum allowable reimbursement.

20.2 Transfer

A "transfer" for purposes of this Article is a movement of a tenured (regular) and/or probationary (contract) faculty member from one department to another department within the District.

20.2.1 Voluntary Transfer: Full Load

- 20.2.1.1 At any time, a tenured (regular) and/or probationary (contract) faculty member may request in writing a voluntary reassignment to a vacant or new position. The request shall be submitted to the Assistant Superintendent/Vice President for Human Resource Services. The District will consider any such written request as long as the faculty member meets the minimum requirements for the vacant or new position sought, possesses the Faculty Service Area (FSA) for the vacant or new position sought, and has not received a *Substandard Performance* or *Unsatisfactory* evaluation within the last five (5) years. A vacant or new position will normally be advertised no fewer than ten (10) calendar days.
- 20.2.1.2 The following individuals and groups must approve a voluntary transfer: the affected Vice President(s), the



AP 7211 FACULTY SERVICE AREAS, MINIMUM QUALIFICATIONS, AND EQUIVALENCIES

References:

Education Code Sections 87001, 87003, 87359, and 87743.2;
Title 5 Sections 53400 et seq.
Minimum Qualifications for Faculty and Administrators in California Community Colleges
ACCJC Accreditation Standard III.A.2-4

Faculty Service Areas (FSA)

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

Tenure track faculty shall be assigned an initial FSA, according to the discipline in which they are hired, on the Faculty Minimum Qualifications Form completed by the department chairperson. The initial FSA assigned must come from the list below titled Santa Barbara City College Faculty Service Areas According to Departments. In the event a faculty member is hired into a newly created department for which an FSA has not yet been established, an FSA in a closely related area should be assigned and the faculty member notified of the FSA assignment. The FSA modification process should be initiated.

Adding an FSA

The FSA Committee shall be composed of the Academic Policies Committee and the Chief Human Resources Officer. The Chair of the Academic Policies Committee shall convene the FSA Committee as necessary.

After initial employment, a faculty member who is both “qualified” and “competent” may apply to the FSA Committee for an additional FSA. The FSA Committee will review application materials and make a recommendation to the Academic Senate on the assignment of the additional FSAs.

- To be “qualified” in an FSA, as defined by the State of California, the faculty member must meet the State minimum qualifications. In addition, any licensure or other certification requirements for the subject field must be met.
- To be “competent” as defined by the District, the faculty member must have taught nine TLUs in the FSA (or equivalent for educational support faculty members) in the SBCC credit program in the three academic calendar years prior to the application for an additional FSA. In order to retain an additional FSA, the faculty member must have maintained nine TLUs in that FSA within the prior three academic calendar years.

Applications for an additional FSA must be received on or before October 15 by Human Resources. The FSA Committee will review the application and respond with a decision



by November 30. The Academic Senate will review the recommendation and approve or deny the request for an additional FSA. In accordance with Ed code 87743.3, additional FSAs must be approved not later than February 15 in order to be considered in layoff proceedings for the following academic year.

An applicant denied an FSA may file an appeal with the President of the Academic Senate within ten working days of notice of denial. The President of the Academic Senate shall convene an appeal committee consisting of the President of the Academic Senate, the Division Senator for the division in which the FSA is located, the Chair of the FSA Committee (as a non-voting member), and the Chief Instructional Officer. The appeal committee shall review the appeal and respond with a decision by February 1. The decision of the appeal committee is final.

Human Resources shall maintain a record of FSAs to which each employee has been assigned in the employee's personnel file. Human Resources shall also maintain a record of FSAs and employees assigned to each FSA.

Modification of the FSA List

A department may petition the Academic Senate for a revision of the FSA list utilizing the same processes for modifying any policy. This procedure shall be reviewed within one year of the release of a new disciplines list by the California Community Colleges Chancellor's Office. The Academic Senate President or designee is responsible for bringing any modifications to the FSA list through the normal policy review process. If the disciplines list is modified, any faculty member who experiences a change in FSA must be notified by Human Resources of this change to their records within one month of the change. Changes in FSA assignments due to a change in the FSA list are not subject to appeal.

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.

Minimum qualifications are verified by the department chairperson and recorded on the Faculty Minimum Qualifications Form. This form is reviewed by the area dean and human resources personnel and retained in the employee's personnel file.

Equivalencies

Equivalency Committee – An Academic Senate Equivalency Committee shall be established to fulfill the requirement of Education Code Section 87359, which states that the equivalency process "shall include reasonable procedures to ensure that the Board of Trustees 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..." In order to ensure that the Board of Trustees relies primarily on the advice and judgment of the Academic Senate, the Academic Senate Equivalency Committee shall:

Exhibit 4

Faculty Senate Report (10 minutes)

- 1) Discuss yearly goals
- 2) Discuss accomplishments
- 3) Issues /Concerns
- 4) Questions from Senators

Begin after spring break – 2 reports per week

1. Curriculum Co-Chair
2. Accreditation Faculty Tri-Chair
3. Equivalency Committee Chair
4. DE Coordinator
5. SLO Coordinators
6. Pride Center
7. Phi Theta Kappa
8. PD Coordinator
9. Service Learning Program Coordinator
10. Credit for Prior Learning Coordinator
11. Calm Coordinators
12. EEDCC Co-Chairs
13. TERB
14. Sabbatical Leave Committee Chair
15. Equitable Placement and Completion Chair
16. Academic Integrity Committee


COMMUNITY COLLEGE LEAGUE OF CALIFORNIA

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**RESOLUTION PRESERVING LIFELONG LEARNING, SELF DEVELOPMENT,
AND KINESIOLOGY EDUCATION OPPORTUNITIES FOR CALIFORNIA
COMMUNITY COLLEGE STUDENTS**

WHEREAS, California Community Colleges serve a specific and important role in the California Educational Master Plan; and

WHEREAS, AB 928 appropriately seeks to streamline transfer for community college students; and

WHEREAS, California Community Colleges were not properly consulted in the development of AB 928; and,

WHEREAS, the courses offered in life long learning, self development, and kinesiology support the Vision for Success and Guided Pathways initiatives; and

WHEREAS, elimination of such programs simply to create one “primary transfer pattern” will have a disproportionately negative impact on tens of thousands of students of color; and,

WHEREAS, California Community Colleges employ thousands of staff and faculty to support lifelong learning, self development, and kinesiology courses; and,

WHEREAS, AB 1725 provides primacy over community college curriculum to California Community College faculty rather than to administrators or external systems of higher education.

NOW THEREFORE BE IT RESOLVED, that the CEO/CCCT Board of the California Community Colleges request that the ASCCC continue to advocate to the Intersegmental Committee of Academic Senates (ICAS) to preserve life long learning, self development, and kinesiology opportunities for California Community College students; and

BE IT FURTHER RESOLVED, that the CEO/CCCT Board work with the ASCCC and other system partners to develop a plan that would not eliminate life-long learning, self development, and kinesiology; and,

BE IT FURTHER RESOLVED, that the CEO/CCCT Board requests that the chancellor of California Community Colleges advocate with University of California and California State University system leaders to preserve lifelong learning, self development, and kinesiology for California Community College students.

PASSED AND ADOPTED as CEOCCC Resolution this seventeenth day of November, 2022, by the following called vote:

CEOCCC YES: 11 NO: 0 ABSENT: 4
CCCT YES: 19 NO: 0 ABSENT: 3

RESOLUTION # 23-8

A Resolution of the Board of Trustees of Coast Community College District on Preserving the Lifelong Learning and Self-Development General Education Transfer Pattern

WHEREAS, AB 928 was intended to support the important transfer role that California Community Colleges fulfill in the California Educational Master Plan; and

WHEREAS, the implementation of AB 928 has proceeded without adequate input from the California Community Colleges leading to potential unintended effects; and

WHEREAS, community college courses supporting lifelong learning, self-development, nutrition, and kinesiology as transfer requirements may be eliminated under the current Intersegmental Committee of Academic Senates (ICAS) draft proposal; and

WHEREAS, the reductions in affected course offerings threaten community college athletic coaching, learning opportunities on physical and nutritional wellness, and opportunities for students to receive guidance in a classroom setting, while shifting displaced unit requirements for California State University transferees to higher cost upper division offerings; and

WHEREAS, losses in educational engagement and structured mentoring have a disproportionate burden on first-generation students and students of color, with a negative impact on equitable student outcome measures and likelihood of transfer; and

WHEREAS, California Community Colleges employ a workforce of thousands of staff and faculty to support life-long learning, self-development, nutrition, and kinesiology courses; and

WHEREAS, state law provides primacy over community college curriculum to California Community College faculty rather than to administrators or external groups such as ICAS;

NOW, THEREFORE, BE IT RESOLVED, that the Coast Community College District Board of Trustees requests that the Academic Senate for California Community Colleges (ASCCC) continue to advocate to the Intersegmental Committee of Academic Senates (ICAS) to preserve the Lifelong Learning and Self-Development transfer requirement; and be it further

RESOLVED, that the Chancellor and other Coast District advocates are authorized and encouraged to widely distribute this resolution, prepare letters, build partnerships, and engage with system and statewide leadership to preserve life-long learning, self-development, nutrition, and kinesiology.

I, Erik Fallis, Acting Secretary of the Board of Trustees of Coast Community College District, hereby certify that on this day, the fifteenth of February in the year two thousand and twenty-three, this Resolution was adopted by the Board by a vote of:

Ayes:

Noes:

Abstain:

Absent:

Erik Fallis
Acting Board Secretary



ACADEMIC SENATE
College of the Canyons

RESOLUTION

Protection of Life Long Learning Programs

WHEREAS, AB 928 (Berman, 2021), now signed into law, requires the Intersegmental Committee of Academic Senates to establish a “singular lower division general education pathway, known as the California General Education Transfer Curriculum (CalGETC), that meets the academic requirements necessary for transfer admission to both the California State University and University of California by May 31, 2023; and

WHEREAS, implementation of AB 928 (Berman, 2021) has resulted in the elimination of Area E Lifelong Learning and Self-Development from the CalGETC pathway, but the California State University (CSU) may still require completion of this general education area as an upper-division requirement for all of the CSU campuses; and

WHEREAS, Lifelong Learning and Self-Development are most needed and crucial to students at the lower division level of their academic careers; and

WHEREAS, Lifelong Learning and Self-Development assist students in acquiring the skills, confidence, and experience necessary to complete a variety of academic goals, including completion of transfer requirements, upper division course requirements, and ultimately, completion of Associate of Arts and Associate of Science degrees, as well as the completion of Baccalaureate degrees; and

WHEREAS, the elimination of Area E: Lifelong Learning and Self-Development from the lower division transfer pathway will adversely impact 11 academic programs and 92 courses at College of the Canyons;

BE IT RESOLVED, the Academic Senate at College of the Canyons urges the California State University (CSU) change the “Lifelong Learning and Self-Development” area to serve as a CSU graduation requirement instead of restricting it to a CSU upper division general education requirement; and

BE IT RESOLVED, the Academic Senate at College of the Canyons asks the Academic Senate of the California State University (CSU) to urge CSU leadership to change the “Lifelong Learning and Self-Development” area to serve as a CSU graduation requirement instead of restricting it to a CSU upper division general education requirement; and

BE IT RESOLVED, the Academic Senate at College of the Canyons calls upon the Board of Trustees for the Santa Clarita Community College District to urge the California State University (CSU) to change the “Lifelong Learning and Self-Development” area to serve as a CSU graduation requirement instead of restricting it to a CSU upper division general education requirement.

Approved Unanimously:
RESOLUTIONS

Subject

AB 928 Resolution - Preserving Life-Long Learning, Self-Development, and Kinesiology Education Opportunities for California Community College Students

Recommend approval as presented.

The following resolution is presented by Trustee Hoffman:

Subject: PRESERVING LIFE-LONG LEARNING, SELF-DEVELOPMENT, AND KINESIOLOGY EDUCATION OPPORTUNITIES FOR CALIFORNIA COMMUNITY COLLEGE STUDENTS

WHEREAS, California Community Colleges serve a specific and important role in the California Educational Master Plan; and

WHEREAS, AB 928 appropriately seeks to streamline transfer for community college students; and

WHEREAS, California Community Colleges were not properly consulted in the development of AB 928; and,

WHEREAS, The courses offered in life-long learning, self-development, and kinesiology support the Vision for Success and Guided Pathways initiatives; and

WHEREAS, Elimination of such programs simply to create one “primary transfer pattern” will have a disproportionately negative impact on tens of thousands of students of color; and

WHEREAS, California Community Colleges employ thousands of staff and faculty to support life-long learning, self-development, and kinesiology courses; and

WHEREAS, AB 1725 provides primacy over community college curriculum to California Community College faculty rather than to administrators or external systems of higher education; now, therefore, be it

RESOLVED, That the Los Angeles Community College District (LACCD) request that the Academic Senate for California Community Colleges (ASCCC) continue to advocate to the Intersegmental Committee of Academic Senates (ICAS) to preserve life-long learning, self-development, and kinesiology opportunities for California Community College students; and be it further

RESOLVED, That the Board of Trustees of the Los Angeles Community College District work with the ASCCC and other system partners to develop a plan that would preserve life-long learning, self-development, and kinesiology; and be it further

RESOLVED, That the Chancellor distribute a copy of this resolution to all nine campuses; and be it further

RESOLVED, That the Los Angeles Community College District requests that the chancellor of California Community Colleges advocate with University of California and California State University system leaders to preserve lifelong learning, self-development, and kinesiology for California Community College students.

Motion & Voting

Recommend approval as presented.

Motion by Nichelle M Henderson, second by David Vela.

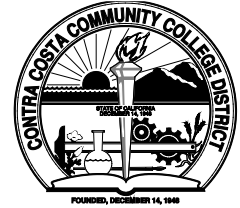
Final Resolution: Motion Carries

Yea: Gabriel Buelna, David Vela, Andra Hoffman, Nichelle M Henderson, Steven F Veres, Kelsey K Iino, Sara Hernandez

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RESOLUTION NO. 20A



BEFORE THE GOVERNING BOARD OF THE
CONTRA COSTA COMMUNITY COLLEGE DISTRICT
COUNTY OF CONTRA COSTA, STATE OF CALIFORNIA

**RESOLUTION IN SUPPORT OF PRESERVING LIFELONG LEARNING,
SELF-DEVELOPMENT, AND PHYSICAL EDUCATION/KINESIOLOGY/
HEALTH EDUCATION OPPORTUNITIES
FOR CALIFORNIA COMMUNITY COLLEGE STUDENTS**

WHEREAS, California Community Colleges serve a specific and important role in the California Educational Master Plan; and

WHEREAS, Assembly Bill (AB) 928 appropriately seeks to streamline transfer for community college students; and

WHEREAS, California Community Colleges were not properly consulted in the development of AB 928; and

WHEREAS, the courses offered in lifelong learning, self-development, and physical education/kinesiology/health education support the Vision for Success and Guided Pathways initiatives by providing access into other disciplines leading to transfer and career fields; and

WHEREAS, elimination of such programs simply to create one "primary transfer pattern" will have a disproportionately negative impact on tens of thousands of African American, Latinx, and other students of color because California Community Colleges are the most ethnically diverse system of higher education in the state; and

WHEREAS, California Community Colleges employ thousands of staff and faculty to support lifelong learning, self-development, and physical education/kinesiology/health education courses who are also diverse racially and by gender; and

WHEREAS, AB 1725 provides primacy over community college curriculum to California Community College faculty rather than to administrators or external systems of higher education.

NOW, THEREFORE, BE IT RESOLVED, that the Contra Costa Community College District (4CD) requests that the Academic Senate for California Community Colleges (ASCCC) continue to advocate to the Intersegmental Committee of Academic Senate (ICAS) to preserve lifelong learning, self-development, and physical education/kinesiology/health education opportunities for California Community College students; and

BE IT FURTHER RESOLVED, that the 4CD Governing Board work with the 4CD Academic Senate and system partners to advocate for a plan that would preserve lifelong learning, self-development, and physical education/kinesiology/health education opportunities; and

BE IT FURTHER RESOLVED, that the Interim Chancellor will distribute a copy of this Resolution to Contra Costa College, Diablo Valley College-Pleasant Hill Campus and Diablo Valley College-San Ramon Campus, Los Medanos College-Pittsburg Campus and Los Medanos College-Brentwood Center; and

BE IT FURTHER RESOLVED, that 4CD requests that the Chancellor of California Community Colleges advocate with University of California and California State University system leaders to preserve lifelong learning, self-development, and physical education/kinesiology/health education opportunities for California Community College students.

PASSED AND ADOPTED by the following roll call vote of the 4CD Governing Board on February 15, 2023.

AYES: (Student Trustee Advisory Vote – aye), Mr. Sandoval, Mr. Márquez
Ms. Barrett, Mr. Li and Dr. Walters

NOES: _____

ABSTAIN: _____

ABSENT: _____

Approved:



Fernando Sandoval, President
4CD Governing Board

Attested to:



Rebecca Barrett, Secretary
4CD Governing Board

WHEREAS, AB 928 was intended to support the important transfer role that California Community Colleges fulfill in the California Master Plan for Higher Education; and

WHEREAS, the implementation of AB 928 has proceeded without adequate input from the California Community Colleges leading to potential unintended consequences; and

WHEREAS, community college courses supporting lifelong learning, self-development, nutrition, and kinesiology as transfer requirements are scheduled to be eliminated under the current Intersegmental Committee of Academic Senates (ICAS) draft proposal; and

WHEREAS, the reductions in affected course offerings threaten community college learning opportunities on physical and nutritional wellness, opportunities for students to receive counseling and guidance in a classroom setting, and athletic coaching, while shifting displaced unit requirements for California State University transferees to higher cost upper division offerings; and

WHEREAS, losses in educational engagement and structured mentoring have a disproportionate burden on first-generation students, low-income students, and underrepresented minority students, with a negative impact on equitable student outcome measures and likelihood of transfer; and

WHEREAS, courses in Area E have long served to support and guide underserved students as they are included in learning communities and programs such as, but not limited to: Puente, Umoja, EOP/S, First Year Experience, TRIO, etc.; and

WHEREAS, students who are underserved minorities and first-generation college students make up 66% of transfer students to the CSU system; and

WHEREAS, California Community Colleges employ a workforce of thousands of staff and faculty to support life-long learning, self-development, nutrition, and kinesiology courses; and

WHEREAS, state law provides primacy over community college curriculum to California Community College faculty rather than to administrators or external groups such as ICAS;

Be it resolved that, the Academic Senates of the Coast Community College District, implore the ICAS group to work with the CSU system toward retainining Area E as a lower division graduation requirement, allowing students to complete the requirement at the community college level.

To: CSU Academic Senate
From: California Community College Physical Education, Kinesiology & Dance Assoc.
Re: Lower Division Area E Graduation Requirement

The California Community College Physical Education, Kinesiology and Dance Association (3CPEKD) recommends that the CSU Academic Senate work with the ASCCC and the Associate Degree for Transfer Intersegmental Implementation Committee (ICAS) to communicate the importance of critical holistic needs of students in order to A) retain a lower division lifelong learning category in the general education transfer curriculum, and B) to support a lifelong learning and self-development (LLSD) lower division graduation requirement.

Background:

The CSU has long been committed to its Lifelong Learning and Self-Development (LLSD) course requirement, believing it teaches students the ability to access, evaluate, and integrate information, explore themselves, and to understand the importance of decisions they make throughout their lives. (CSU Executive Orders: EO338, 1980; EO1065, 2011; EO1100, 2015; EO1100, 2017; EO1033, 2008.) The CCC shares this value (Title 5 §55061(a);) and has recently identified LLSD as an employability skill (CCC/Doing What Matters, 2018.) All three higher education systems reference the importance of learning for long-term benefits to society (see Appendix A.)

Note: LLSD/Area E requires 3 semester units (4 quarter units) of study at the lower-division. The requirement is designed to equip learners for lifelong understanding and development of themselves as integrated physiological, social, and psychological beings. Content may include a wide range of topics such as student success strategies, human behavior, sexuality, nutrition, physical and mental health, stress management, information literacy, social relationships, and relationships with the environment, as well as implications of death and dying or avenues for lifelong learning. Courses in this area shall focus on the development of skills, abilities, and dispositions. Physical activity may be included, if it is an integral part of the study elements described herein.

Because the UC system has no LLSD requirement and does not wish to add one, CSU agreed to remove Lifelong Learning from the Cal-GETC. The CSU Academic Senate will revisit the role of this requirement and the reduction relative to CSU's general education in the Humanities and Arts area.

As part of the review, the CSU Senate will evaluate the possibility of:

- A. Move LLSD to the upper division and/or
- B. Remove LLSD as a CSU graduation requirement
- C. Maintain LLSD as a lower division graduation requirement

3CPEKD encourages and supports option C: lifelong learning and self-development as a CSU lower division graduation requirement instead of an upper division requirement to provide CCC students the equitable opportunity to complete their LLSD coursework at a community college before transferring. By providing this opportunity as

a lower division requirement, CCC institutions have the capacity to support more students in lifelong learning courses, which will directly impact their health and wellness, and thus, enhance student success.

Summary of Rationale:

Both the CSU and CCC deem Area E curriculum as important to a college education in California. Decades of research highlight the extensive value of physical activity, one of the key subject areas within Area E. Defined as “any bodily movement that results in energy expenditure”, *physical activity* is one aspect that may or may not be an outcome of physical literacy. **Physical activity is not the same as physical literacy.** *Physical literacy* can be defined as “the motivation, confidence, physical competence, knowledge, and understanding to value and take responsibility for engagement in physical activities for life.” Physical literacy takes place in an educational setting based on learning outcomes and evidence-based curriculum. During kinesiology activity classes, students have opportunities to learn and develop physical literacy knowledge and skills.

Physical literacy has wide-ranging impacts. Unequivocal support for aspects of the concept can be found in philosophy, neuroscience, social justice, the nature of human development, psychology, and sociocultural studies (*Whitehead, 2018*). Learning about physical literacy early in college helps to set-up students for success academically and throughout their lives. There is a vast amount of research in regard to the impact of physical literacy which is categorized in four domains: physical, emotional, cognitive and social. Highlights of the research are below.

- Improved academic performance, cognitive function, GPA, and graduation rates
- Disease prevention (i.e., heart disease, obesity, metabolic disorders, cancer, other chronic diseases)
- Health promotion (i.e., mental health, stress management, anxiety, depression)
- Reduced mortality rates, healthcare costs, absenteeism, and disability
- Social skill development (social connection, friends, collaboration, inclusivity)

Removal of health and physical literacy education widens the gap for disproportionate groups

- Access to physical literacy information and healthcare overall is lower
- Learning about physical literacy early in college helps to set-up students for success academically and throughout their life
- Helps to reduce the achievement gap
- Moving LLSD to an upper division requirement is an equity requirement. The courses are more affordable and accessible at the community college level.

Many international, national, and statewide initiatives specifically address the importance of physical activity, healthy behaviors, well-being as part of physical literacy:

- Centers for Disease Control and Prevention
- National Physical Activity Plan
- World Health Organization
- American Medical Association
- American Heart Association
- American College of Sports Medicine
- Healthy People 2030

Appendix A: All three of California's higher education systems hold lifelong learning and self-development in high regard.

UC Mission Statement:

"The distinctive mission of the University is to serve society as a center of higher learning, **providing long-term societal benefits** through transmitting advanced knowledge, discovering new knowledge, and functioning as an active working repository of organized knowledge.

CSU Mission Statement:

- To advance and extend knowledge, learning, and culture, especially throughout California.
- To provide opportunities for **individuals to develop intellectually, personally, and professionally.**
- To **prepare significant numbers of educated, responsible people** to contribute to California's schools, economy, culture, and future.
- To encourage and provide access to an excellent education to all who are prepared for and wish to participate in collegiate study.
- To offer undergraduate and graduate instruction leading to bachelor's and higher degrees in the liberal arts and sciences, the applied fields, and the professions, including the doctoral degree when authorized.
- To prepare students for international, multi-cultural society.
- To provide public services that enrich the university and its communities.

CCC Vision for Success:

"California Community Colleges provides opportunities to all who seek them and is a powerful force for **breaking down systemic inequities that block too many students** from attaining the career and life they want."