

ARTICLE III

SELECTION POLICIES

10301. SELECTION AND ASSIGNMENT OF FACULTY. It is the policy of the District to employ faculty members who are expert in their subject areas, who are skilled in teaching and serving a diverse student population, and who can foster overall educational effectiveness. Those individuals must be sympathetic and sensitive to the racial and cultural diversity of the populations the colleges serve, and they should generally reflect that diversity themselves. In addition, they must be well prepared to respond to the educational needs of all the special populations served by the District's colleges.

Selection and assignment of faculty shall be based on job-related factors which include qualifications and capabilities. The use of any degree of personal, political, or social influence to secure selection or assignment to a faculty position, or the urging of any consideration other than fitness for the work as a ground for selection or assignment is unprofessional conduct and is strictly forbidden.

Adopted 11-24-70
Amended 01-29-92
Amended 02-14-01

10302. EVALUATION OF ELIGIBILITY FOR EMPLOYMENT OF FACULTY. Faculty shall be employed on the basis of competitive evaluation conducted under the general oversight of the Division of Human Resources and the president where the position to be filled exists. The process of evaluating individuals for eligibility for employment as faculty members shall be in accordance with hiring procedures that meet the standards and requirements set forth in Board Rule 10304, applicable provisions of the Education Code, Title 5 of the California Administrative Code, and relevant Personnel Guides adopted under these Board Rules.

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Amended 01-29-92
Amended 02-14-01

10303. MAINTENANCE OF CONTINUOUS FACULTY RECRUITMENT; CREATION OF A DISTRICT RECRUITMENT POOL OF POTENTIAL APPLICANTS. The Division of Human Resources shall develop and maintain a District recruitment pool consisting of a diverse group of potential applicants for faculty positions as a resource for faculty searches. The Division shall also assist the colleges in making effective use of the pool whenever the colleges seek to fill a faculty position.

Adopted 11-24-70
Amended 01-29-92
Amended 02-14-01

10304. FACULTY HIRING. The Board and the faculty, represented by the Academic Senate, share the responsibility for developing and implementing policies and procedures governing the hiring process. This policy, developed and agreed to jointly by representatives of the Board of Trustees and the District Academic Senate, shall govern the selection of faculty at the colleges within the District. For the purposes of this policy, the term "President" means the President of a college or his or her designees, and the term "Academic Senate" means the college Academic Senate.

The Board has the primary legal and public responsibility for ensuring an effective hiring process. As reflected in State law, faculty have an inherent professional responsibility in the development and maintenance of the quality of the District's and colleges' educational programs and services. For that reason, significant and meaningful faculty participation in the hiring process is essential, and it is the Board's expectation that faculty recommendations regarding the qualifications, experience, and desirability of candidates for faculty positions will normally be accepted. Nevertheless, the President shall exercise formal decision-making authority in the hiring process, and all recommendations regarding faculty hiring shall be advisory to the President. No one may be hired as a probationary, long-term substitute, limited status, or hourly rate faculty member unless he or she possesses:

- A. the minimum qualifications for that assignment specified by the Board of Governors of the California Community Colleges (the State Qualifications), or
- B. qualifications that are at least equivalent to the relevant State Qualifications.
- C. qualifications set by statute or regulation; and

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- D. in addition to other minimum qualifications specified in sections A, B and C, the minimum qualifications for a faculty member teaching any credit or noncredit course shall include a current valid certificate to work or a license to practice in California. Such requirements shall be adopted whenever the instructor's possession of such a certificate or license is required for program or course approval by the Chancellor's Office of the California Community Colleges or an external approving/accrediting agency or when current occupational certification is essential for effective instruction, as determined by mutual agreement between the Board of Trustees and District Academic Senate.

The colleges shall conduct faculty hiring in a way that takes into account the District's equal employment opportunity obligations, its goal to employ a diverse faculty, and its commitment to affirmatively recruit individuals from groups that are historically under-represented among the faculty at a college or within a discipline. Search/selection committee participants shall complete appropriate training in equal employment opportunity and affirmative action principles.

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Amended 01-29-92
Amended 02-14-01
Amended 10-05-05

10304.1 Probationary (Contract) Faculty Hiring.

1.0 Position Identification and Prioritization

The need to consider filling a faculty position can arise under many circumstances as determine by the college. To provide a means by which those needs will be addressed at a college, the President working in collaboration with the Academic Senate shall develop college procedures specifying how proposals to fill contract faculty positions at the college will be prepared, the criteria that will be used to evaluate the proposals, and the process by which proposals will be reviewed and approved. The procedures adopted y each college should be designed and implemented in a way that will permit a thorough and deliberate search to be completed, and a hiring decision to be made, well before the beginning of the academic term during which the new contract faculty member will begin work.

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Amended 01-29-92
Amended 02-14-01

2.0 College Procedures for Hiring Probationary (Contract) Faculty

The President and Academic senate at each college shall develop mutually acceptable written procedures governing the search and selection process for contract faculty that comply with the following minimum requirements and any relevant Personnel Guides adopted under this Board Rule:

- 2.1 The procedures shall incorporate provisions that ensure that the responsibility for recruiting and selecting well-qualified faculty is a joint responsibility of the faculty and the administration. The procedures shall also require all those involved in the hiring process to adhere to the following fundamental criteria when reviewing application materials, conducting interviews, or otherwise evaluating candidates:
- A. the extent to which the candidate has command of, or brings expertise in, the discipline or subject area in which he or she will be employed;
 - B. the candidate's demonstrated ability as, or potential to become, a skilled teacher, counselor, librarian or other support professional; and
 - C. the degree to which the candidate will contribute, directly and indirectly, to the diversity of the college, division, and discipline in which he or she will be employed.
- 2.2 Under the college procedures, the first step in initiating a search shall be the formation of a search/selection committee composed of at least three members, a majority of whom shall be faculty members in the discipline (or, if the Academic Senate deems it appropriate, closely related disciplines) of the position to be filled, and a non-voting affirmative action representative. Working with the members of the discipline, the search/selection committee shall prepare a job announcement to be used in announcing the job opening for approval by the President. The job announcement shall describe at a minimum:
- A. the duties and responsibilities the contract faculty member will be expected to assume;

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- B. the minimum qualifications for the position established by the Board of Governors of the California Community Colleges (the “State Qualifications”);
- C. the knowledge, skill and ability a successful candidate should possess; and
- D. other characteristics the college determines to be desirable including, but not limited to, a sensitivity to and understanding of the special populations the college serves.

2.3 While the job announcement shall fully describe the desirable academic preparation, experience and other characteristics sought in a candidate, the minimum qualifications specified in the announcement shall be the same as the State Qualifications. The committee may, however, add to the State Qualifications any appropriate language requiring evidence of a) the ability to communicate and work effectively with people of diverse cultures and language groups and b) sensitivity to individuals who come from diverse academic, socioeconomic, cultural and ethnic backgrounds, including those who have disabilities.

2.4 The recruitment period for each search should be several months long (preferably beginning in the early spring for positions that are anticipated to be filled for the subsequent fall term, or at least a full semester in advance of the start of the assignment for other positions) but the procedures shall specify a recruitment period of no fewer than six weeks.

2.5 The procedures shall identify decision points at which the overall size and diversity of the pool will be reviewed to determine if they are satisfactory based on availability data, diversity goals, and other relevant factors. Following such a review, if the President determines that the size or diversity of the pool of candidates who responded to the college’s job announcement is not satisfactory, the procedures shall require an extension of the recruitment period. In that event, the procedures shall also require the search/selection committee to initiate additional recruitment efforts.

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2.6 To be considered as a candidate for a faculty position, all applicants must submit to the District or the college a cover letter summarizing the candidate's qualifications for the position along with a completed application for employment on a form specified by the District; *transcript(s) from an accredited institution*; the names, addresses, and telephone numbers (or other appropriate contact information) of at least three references; and any other relevant information specified in the job announcement.

2.7 The procedures shall identify the manner in which the search/selection committee will review application materials and invite candidates to meet with the committee for an interview or participate in any other skills demonstration or evaluation process required by the committee.

The invited candidates will be those who, as determined by the search/selection committee, best meet the qualifications for the position; possess the highest degree of knowledge, skill and ability relevant to the position; and most closely match the desirable characteristics specified in the announcement for the position. Meeting the State qualifications will not guarantee an interview.

2.8 Under the procedures, the search/selection committee shall be charged with recommending finalists to the President. The number of candidates the search/selection committee is expected to recommend as finalists, and the manner in which those finalists will be reviewed and considered shall also be set forth in the procedures. The college procedures shall include background and reference checks before a finalist is selected for hire.

2.9 The procedures shall address the manner in which candidates will be kept informed of the progress of the search and the status of their candidacy throughout the selection process. The goal shall be to ensure that communication with candidates occurs in a timely and professional manner. This responsibility rests primarily with the President.

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Amended 01-29-92
Amended 02-14-01

2.10 An offer of employment cannot be extended to a candidate until the request to appoint the recommended candidate is approved by the Chancellor or, if appropriate, by the Board.

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Amended 01-29-92
Amended 02-14-01

10304.2 Temporary Faculty Hiring: Long Term Substitutes and Limited Status Faculty.

The President and Academic Senate at each college shall develop written procedures governing the search and selection process for long term substitutes and limited status faculty that comply with the minimum standards set forth in Section 2.0 of Board Rule 10304 regarding Faculty Hiring (and any relevant Personnel Guides adopted under those sections), with the exception that the recruitment period for long term substitute and limited status faculty positions may be fewer than six weeks, but no fewer than three weeks.

Adopted 11-24-70
Amended 01-29-92
Amended 02-14-01

10304.3 Temporary Faculty Hiring: Hourly Rate Faculty.

The President and Academic Senate at each college shall develop written procedures governing the search and selection process for hourly rate faculty. The procedures should be designed and implemented in a way that will permit a thorough and deliberate search to be completed, and a hiring decision to be made, well in advance of the starting date of the hourly rate assignment for which the faculty member is being employed. However, the procedures also need to provide for the fact that early recruitment and selection of hourly rate faculty is occasionally impractical. For that reason, the procedures need to provide appropriate flexibility to those involved in the hiring process so that they are able to identify and hire hourly rate faculty in a timely manner when that is necessary.

Adopted 11-24-70
Amended 01-29-92
Amended 02-14-01

10304.4 Acknowledgements.

Nothing in this rule shall be construed as impinging upon the due process rights of faculty, or as detracting from any negotiated agreement between the faculty's collective bargaining representative and the Board of Trustees.

Adopted 11-24-70
Amended 01-29-92
Amended 02-14-01

10304.5 Amendments and Revisions

1.0 The Board shall consult with the District Academic Senate before adopting any amendment to or revision of this Board Rule, and in acting on any proposed amendment or revision, the Board shall rely primarily on the advice of the Academic Senate.

2.0 The Chancellor or his or her designee shall consult with representatives of the Academic Senate in developing any Personnel Guides or similar administrative regulations implementing this Board Rule. The Chancellor or his or her designee shall also consult with representatives of the District Academic Senate before amending or revising any such Personnel Guide or administrative regulation.

Adopted 11-24-70
Amended 01-29-92
Amended 02-14-01

10305. THE EQUIVALENCE POLICY FOR FACULTY QUALIFICATIONS.

No one may be hired as a probationary, long-term substitute, limited status, or hourly rate faculty member unless he or she possesses:

- A. the minimum qualifications for that assignment specified by the Board of Governors of the California Community Colleges (the State Qualifications), or
- B. qualifications that are at least equivalent to the relevant State Qualifications.

It is the expectation of the Board that nearly all faculty members will be able to establish their qualifications to perform a faculty service by demonstrating possession of the exact degree or experience specified in the State Qualifications, and that only rarely will candidates need to establish their qualifications through the equivalence process. The equivalence process is not intended to raise or lower State Qualifications, nor is it a means to waive State Qualifications.

The Chancellor, in consultation with the District Academic Senate, will establish procedures under which current and prospective faculty members may seek a determination that they possess qualifications that are at least equivalent to the relevant State Qualifications. A determination reached through the procedures shall be deemed to be a determination of the Board unless, on appeal, the Board itself chooses to review the decision and, after receiving written recommendations from the District Academic Senate and the Chancellor, render a decision on the matter itself. If, for compelling reasons, the Board's decision is contrary to the DAS recommendation, the Board will provide a written explanation to the DAS.

Adopted 11-24-70
Amended 01-29-92
Amended 02-14-01
Amended 06-23-04

10306. FILLING VACANCIES WITH EXISTING EMPLOYEES. The District may fill any vacant position by the transfer of existing faculty, consistent with the Education Code and any negotiated agreement between the collective bargaining representative and the Board of Trustees, at any point in the hiring process prior to the issuance of a job offer to the candidate.

Adopted 11-24-70
Amended 01-29-92

10306.5 Selection of Entrance-Level Substitutes.
Selection of certificated entrance-level substitutes shall be from the appropriate eligible list according to their availability to accept substitute employment. Candidates who are available for day-to-day substitute assignments and are approved by the Division of Human Resources shall be placed on the horizontal eligible list for day-to-day substitutes. Acceptance of a substitute, temporary, or limited assignment shall not affect the eligibility of any applicant for assignment to a probationary position. Applicants may be approved for the day-to-day substitutes list without being on the eligible list for a regular position.

Adopted 01-29-92

10307. SELECTION OF ACADEMIC ADMINISTRATORS. Each College and the Educational Services Center shall develop written procedures governing the selection of academic administrators. Selection of employees to fill academic administrative positions at a college or the Educational Services Center shall be made in accordance with those procedures once they have been reviewed by the Division of Human Resources and certified as meeting minimum requirements established by the Chancellor.

Adopted 11-24-70
Amended 07-24-02

10308. SELECTION OF COLLEGE PRESIDENT. Each College President shall be selected by procedures as indicated in this Rule. The Board of Trustees may modify these procedures for a particular presidential selection by Action of the Board.

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Amended 07-26-95
Amended 09-22-99
Amended 08-23-00
Amended 07-24-02
Amended 01-25-06
Amended 06-26-13

A. Initiating Action

1. In order to initiate a presidential selection, the Board of Trustees shall pass an action directing the Chancellor to begin the selection process pursuant to this Rule and pursuant to any modifications as approved by the Board, and indicating when the committee shall be formed and when the process is expected to be completed.
2. When so directed by Board Action, the Chancellor will promptly initiate, and supervise through its conclusion, a nationwide search for a President.
3. If an interim President was appointed, the person who served as the Interim President shall be eligible to apply for the regular appointment unless there was an announcement or other written means of notifying applicants for an interim opening that the interim appointee would be ineligible to apply for the regular position.

B. Recruitment

1. In consultation with the Board, and after having sought input from the Presidential Search Committee of the applicable college (“the College”), community representatives, and other parties he/she deems appropriate, the Chancellor will develop an announcement that, at a minimum, describes the position and the criteria to be used in selecting a successful candidate (including minimum qualifications as well as desirable skills, attributes and other personal and professional characteristics).
2. With the goal of creating a strong and diverse pool of candidates, the Chancellor will develop a recruitment and advertising plan, which may include the retention of a search consultant to assist with recruitment efforts and other appropriate aspects of the selection process. If the Chancellor proposes to retain a search consultant, he/she will recommend a consultant to the Board for its final approval.

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Amended 09-22-99
Amended 08-23-00
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Amended 06-26-13

C. Committee

1. No later than the deadline indicated in the Board Action, the Chancellor will convene a Presidential Search Committee composed of the following voting members:
 - a. A college president recommended by the Chancellor and selected by the Board;
 - b. Four faculty members from the applicable College, two of whom are selected by the College Academic Senate and two of whom are selected by the AFT College Guild;
 - c. Two classified employees from the College, one of whom is selected by the AFT College Staff Guild and one of whom is selected by an election process by the non-AFT classified employees at the College;
 - d. One student from the College selected by the Associated Student Body Organization President;
 - e. Other representative(s) as may be required by collective bargaining agreement(s);
 - f. One academic administrator from the College selected by the exclusive representative of the Academic Administrators' Unit, and one unrepresented administrator selected by the Chancellor; and
 - g. Two community representatives recommended by the Chancellor and selected by the Board.
2. Unless the Board specifies otherwise, the College President appointed to the committee shall serve as its chairperson.
3. The Chancellor will provide appropriate staffing for the process, which shall include but not be limited to an affirmative action representative as a non-voting member of the committee.

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Amended 08-23-00
Amended 07-24-02
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4. It is an essential responsibility of every member of the Presidential Search Committee to maintain strict confidentiality throughout the presidential selection process.
5. Configuration of the Presidential Search Committee may be reexamined in the event changes occur pursuant to subsection C(1)(e), above.

D. Committee Process

1. At the first meeting of the Presidential Search Committee (or as soon thereafter as feasible) the Board President and the Chancellor, or their designees, will meet with the Committee to give the Committee its charge and review their expectations about the search process and its goals.
2. The Presidential Search Committee will, as requested by the Chancellor, assist in efforts to recruit a strong and diverse pool of candidates, and will review the application materials of all eligible candidates who apply or are nominated for the position. The Chancellor may recommend the extension of the search process to the Board. From the candidate pool, the Committee will interview not less than six candidates who most closely meet the qualifications, desirable skills, attributes and other personal and professional characteristics described in the position announcement.
3. At the conclusion of all interviews, the Presidential Search Committee will recommend at least three unranked candidates as semifinalists to the Chancellor.

E. Semifinal Process

1. The Chancellor shall review the applications of the semifinalists to determine which semifinalists to interview.
2. The Chancellor may consider additional information from background and reference checks.

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 Amended 08-23-00
 Amended 07-24-02
 Amended 01-25-06
 Amended 06-26-13

3. After conducting interviews and other reviews as the Chancellor deems necessary, the Chancellor shall forward the name(s) of a finalist or finalists to the Board of Trustees for consideration.

F. Final Process

1. The Chancellor shall provide information from background and reference checks to the Board of Trustees.
2. If it is feasible, and if he/she determines that it would be worthwhile, the Chancellor may designate a small group composed of persons he/she deems to be appropriate, to visit the institutions at which the finalists currently work for the purpose of inquiring further into their background and experience.
3. The Chancellor shall advise the Board of the names of the candidates recommended by the Presidential Search Committee as semifinalists, as well as the semifinalists interviewed by the Chancellor, and shall make his or her recommendation regarding which candidate is best suited for the position.
4. In conjunction with the Chancellor, the Board will interview the finalist(s) forwarded by the Chancellor.
5. The Board may conduct further background checks or interviews as it deems appropriate. The Board may terminate the process at anytime. The Board may elect not to hire any candidate.

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