

**Proposition No.:** 23-16/17

**Title:** A Proposal for New Rule 5.14 Faculty Credentials Required for NMSU Instructors of Record

**Date Submitted:** January 10, 2017

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**Proposed Committee:**

**Assigned Committee:** Faculty Affairs

**Prior Approvals:** Rule 5.14 was presented for a First Reading by UAC on October 11, 2016. The review period for all Review Groups to provide feedback was extended through November 22, 2016. Feedback received resulted in two revisions. One was clarification in Part 4 (A., B. and C.) about administrative approvals at the community colleges. Revision was made under the guidance of the Community College Academic Vice Presidents (CCAVP) committee. The second revision was to Part 3.B.8.b.i, which originally read, "Department head/equivalent must submit a written request and rationale for the exception, based on the candidate's qualifications, to the college dean or community college vice president for academic affairs. *The request must not be based on the institutional need for instruction.*" The revised version clarifies the last statement, "Department head/equivalent must submit a written request and rationale for the exception, based on the candidate's qualifications, to the college dean or community college vice president for academic affairs. *Exceptions will be granted based on the qualification of the candidate rather than the need to fill a position.*"

**Rationale:** This Rule reflects the Higher Learning Commission (HLC) minimal criteria for faculty credentials, required to meet HLC accreditation standards. The intent of this rule is to ensure faculty teaching assignments are consistent with their credentials. Institutions must be in compliance by Sept. 1, 2017. Failure to comply with minimal standards puts NMSU (Las Cruces campus and all of the community college campuses) out of compliance with HLC Assumed Practice B.2 and jeopardizes accreditation by the HLC. Details regarding this HLC requirement can be found here: [http://download.hlcommission.org/FacultyGuidelines\\_2016\\_OPB.pdf](http://download.hlcommission.org/FacultyGuidelines_2016_OPB.pdf)

From the HLC guidelines: "HLC requirements related to qualified faculty, including recent revisions to Assumed Practice B.2., are in no way a mandate from HLC to terminate or no longer renew contracts with current faculty members. HLC expects that institutions will work with faculty who are otherwise performing well to ensure that they meet HLC's requirements (whether through credentials or tested experience or a combination thereof)."

The Provost's Office, Deans, community college Presidents and Vice Presidents and the Office of Accreditation are aware of these requirements and have been working on review of faculty credentials. Moving forward, implementation of this policy will be embedded in the hiring process.

Initial drafts of the proposed Rule were reviewed and revised based on feedback from Associate Deans Academic Council (ADAC), Academic Deans Council (ADC), Community College Academic Vice Presidents (CCAVP) council and the NMSU System Accreditation Liaisons Officers (ALO) committee. Other than the changes indicated above, these groups have not suggested any further changes

**Proposal:** See text immediately following:

**Rule 5.14 Faculty Credentials Required of NMSU Instructors of Record** v021517 *[Starting with the version first introduced to Faculty Senate, this 021517 5:38 pm version includes edits incorporating friendly amendments from 1<sup>st</sup> FS Faculty Affairs Committee meeting (01.17.17); feedback from individual faculty since the 1<sup>st</sup> FS FA Committee meeting; reconciliation decisions/edits relating to conflicts between feedback or with HLC requirements; edits incorporating friendly amendments from the 2<sup>nd</sup> FS Faculty Affairs Committee meeting (02.14.17); and clean up finalization edits]*

**PART 1: PURPOSE**

As authorized by Regents Policy 5.00, this Rule establishes the minimal faculty qualifications required of NMSU Instructors of Record.

**PART 2: DEFINITIONS**

- A. **Subfield:** A component of the discipline in which the instruction is delivered. The focus is on the course being taught and the general appropriateness of the Instructor of Record's qualifications with reference to such courses. The key consideration is whether a degree in the field or a focus in the specialization appropriately matches the courses the Instructor of Record would teach in accordance with the conventions of the academic field.
- B. **ABD:** All But Dissertation
- C. **Instructor of Record:** Includes employees hired into any faculty position, including full and part-time faculty, tenured, tenure-track and non-tenure track faculty, temporary faculty, faculty teaching dual credit and credentialed graduate students. Non-credentialed teaching assistants enrolled in a graduate program, whose teaching is supervised by faculty, for the purposes of this Rule are not considered to be an Instructor of Record, but will be listed as the Instructor of Record in the schedule of classes, and considered as such for all other purposes.
- D. **NMSU Entity:** NMSU Entity, sometimes also referred to as "unit", is a general term which may refer to a college, an academic department or any other individual unit within the NMSU System, including but not limited to agricultural experiment stations.
- E. **One Level Above:** One Level Above refers to the degree being earned by the student and the degree Instructor of Record's degree credentials. For this rule, One Level Above for occupational education/career and technical education is a bachelor's degree. For non-occupational undergraduate courses, One Level Above is a master's degree. In graduate courses, One Level Above is the terminal degree that field. *(See Part 3. B. for details and exceptions.)*

**PART 3: REQUIREMENTS RELATING TO FACULTY QUALIFICATIONS**

Each NMSU Entity will ensure that its Instructors of Record have the academic preparation, the appropriate discipline, the expertise and sufficient training and/or equivalent professional experience in the area in which they teach. All Instructors of Record must meet or exceed the minimal institutional qualifications set forth in this Rule, as well as applicable requirements of accrediting bodies and state agencies. NMSU acknowledges that in order to maintain Higher Learning Commission (HLC) accreditation, the institution must be compliant with HLC minimal standards relative to faculty qualifications.

- A. **Teaching and Learning/Quality, Resources and Support:** The institution will provide:
  - 1. An adequate number of, and appropriately qualified, Instructors of Record and staff to provide high-quality educational programs (including dual credit, contractual and consortial programs), instruction and student services.
  - 2. Sufficient number and continuity of Instructors of Record to carry out classroom and non-classroom roles, including oversight of curriculum and expectations for student performance, establishment of academic credentials for instructional staff and involvement in assessment of student learning.
  - 3. Sufficient processes and resources for Instructors of Record to remain current in their disciplines, adept in their teaching role, and engaged in ongoing professional development.

B. Teaching and Learning/Qualifications and Credentials Required of the Instructors of Record:

1. Primary indicators of Instructor of Record qualifications are credentials earned. Credentials refer to degrees earned that establish the Instructor of Record's credibility as a content expert and thus competence to teach college-level content. Specifically, degrees and certificates from accredited institutions or otherwise reputable and established institutions of higher education and other areas of professional education and training provide evidence of appropriate credentialing.
2. Degree completion in a specific field enhances the depth of subject matter knowledge. All Instructors of Record should have completed a program of study and possess a degree in the discipline or Subfield (as applicable) in which they teach and/or for which they develop curricula, with coursework at least One Level Above that of the courses being taught or developed. In terminal degree programs, an Instructor of Record should possess the same level of degree for which they are providing instruction. In some cases, extensive and appropriate professional or research experience may be used to establish equivalent tested experience that may be considered in determining qualification to teach particular content.
3. Instructors of Record teaching any non-occupational undergraduate courses, including general education and dual credit, will hold a master's degree or higher in the discipline or the Subfield. If the Instructor of Record holds a master's or higher degree in a discipline or Subfield other than that in which they are teaching, the Instructor of Record must have completed a minimum of 18 graduate credit hours in the respective discipline or Subfield. A Master of Education degree or similar broad based degree will be considered appropriate qualification for Instructors of Record when it can be demonstrated that the content of that Instructor of Record's degree is sufficiently related to the discipline of the course (*See Subsection B. 8. below*). High school teaching experience alone is not acceptable as evidence for the content knowledge needed for discipline-specific college courses, or for discipline-specific experience.
4. Instructors of Record who do not have the minimal qualifications as described above, must meet exception criteria, and receive *prior approval* to begin or continue teaching. (*See Subsections B. 7. and B. 8. below*).
5. Instructors of Record teaching occupational courses (e.g. in career and technical education programs, college-level certificate programs, and occupational associate degree programs) should hold a bachelor's degree in the field and/or a combination of education, training and tested experience. In these cases, professional certificates and/or industrial experience will be identified as appropriate qualifications. (*See Subsection B. 7. & 8 below*). It is appropriate to consider training and tested experience for instruction of technical and occupational courses. Such consideration is particularly relevant in fields where the associate's degree is the terminal degree, or where there is no degree beyond a high school diploma. Qualifications for occupational courses are applicable even in instances where technical/occupational courses may transfer into a bachelor's degree program.
6. Instructors of Record teaching in a graduate program should hold the terminal degree determined by the discipline and have a record of research, scholarship or achievement appropriate for the graduate program; or have a master's degree, equivalent scholarly experience and creative activity appropriate for the graduate program in which they teach. (*See Subsection B.7 below*). In addition, Instructors of Record guiding doctoral education should have a record of scholarship and preparation to teach at the doctoral level. Research and scholarship should be appropriate to the program in which they teach, as determined by the program faculty.
7. Standardized Discipline Specific Qualification through Equivalent/Tested Experience: Instructors meeting minimal levels of qualification based on factors other than minimal degree thresholds must meet the minimal thresholds of equivalent experience/research pre-determined by program faculty, approved through the department head/equivalent, dean/equivalent, community college Vice President for Academic Affairs and Executive Vice President and Provost.
8. Individual Discipline Specific Qualification through Equivalent/Tested Experience: Exceptions to the requirement to meet the pre-determined and approved minimal qualifications may be granted in accordance with the steps below, on a case by case basis. Exceptions will be granted only when equivalent expertise and knowledge has been clearly established.
  - a. Department head/equivalent must submit a written request and justification for exceptions, based on the candidate's qualifications, to the college dean or community college Vice President for Academic Affairs.

- b. If the dean/equivalent or community college Vice President for Academic Affairs supports the request, they must forward the request, expressing their support for the hire and justification to the Executive Vice President and Provost, who makes the final decision on all requests.
- c. Documentation for individual exceptions including the original credentials will be maintained in Human Resource Services (HRS). Original documents from community college hires will be maintained by the appropriate community college's Human Resources office, with copies to be maintained at NMSU-Las Cruces HRS.

#### **PART 4: ROLES AND RESPONSIBILITIES**

- A. Executive Vice President and Provost: The Executive Vice President and Provost is ultimately responsible for the verification and validation of the credentialing requirements for all Instructors of Record within the NMSU System. This is accomplished through coordination with, and in reliance upon, the senior academic administrators at each campus (academic deans and community college vice presidents for academic affairs), and with assistance from their respective HR offices.
- B. Academic Dean/ Division Dean through Community College Vice President Academic Affairs: During the hiring or renewal process, the academic dean, or division dean through the community college Vice President of Academic Affairs, are responsible for validation of Instructor of Record credentialing documents and for ensuring that qualifications align with course assignments for their college or community college division. Prior to an Instructor of Record's appointment with NMSU, the academic dean or community college division dean examines and approves the prospective Instructor of Record's credentials to ensure compliance with institutional and accreditation requirements. The academic dean or the division dean, through their respective community college vice president of academic affairs, will forward verified documentation, including official transcripts and translation and evaluation of foreign transcripts as needed, to HR.
- C. Academic Department Head or Community College Equivalent: Prior to assignment of an Instructor of Record, the department head or equivalent at the community colleges examines the prospective Instructor of Record's credentials to verify that the Instructor of Record meets the position requirements. The qualifying degree is the primary indicator that qualifies the Instructor of Record to teach a particular course. If an exception is being sought for a particular course new to the faculty member, the department head or equivalent must forward the documentation required for exceptions through the dean or community college Vice President for Academic Affairs to the Executive Vice President and Provost for approval prior to the course being taught.
- D. Instructors of Record: All Instructors of Record are required to provide appropriate documentation to verify their credentials.
  - 1. Credentials include but are not limited to: resume/curriculum vitae, official transcripts, appropriate licenses or certifications, verification of work related to teaching experience and if required, documentation of equivalent/tested experience to justify alternative credentialing.
  - 2. The cost to obtain official credentials (including necessary translation and evaluation of transcripts from institutions outside of the United States) and copies of licenses and certifications must be borne by the prospective faculty member.
  - 3. Instructors of Record who are teaching in disciplines that require licensure and/or certification are responsible to provide documentation of licensure and certification to the department head or equivalent community college division dean. It is the responsibility of the Instructor of Record to acquire and maintain discipline-required licensure(s)/certification(s).
  - 4. The institution may request updated documents from its faculty members to maintain credentialing records.
- E. ABD Instructors of Record: ABD Instructors of Record must provide an official transcript or other equivalent credentials with their terminal degree posted within one (1) year of appointment.
- F. Human Resources (HR): The Human Resources office is each institution's designated repository for faculty credentials, and is responsible for maintaining official documentation of faculty credentials (including official transcripts and other documentation relevant to the faculty member's teaching qualifications). Prior to new appointments and subsequent with continued appointments, the dean will forward all such documents to HR. The dean will be notified of any discrepancies or incomplete documentation. In such cases the dean must submit the required credentialing documents for all Instructors of Record as soon as possible, and no later than the university's official census day.

## PART 5: PROCEDURAL GUIDELINES

- A. Requirement for Official Transcripts or Other Equivalent Credentials: It is the responsibility of each faculty member/Instructor of Record to provide official transcripts/credentials to NMSU.
1. Transcripts that are classified as unofficial will not be accepted in lieu of official transcripts. NMSU criteria for determining the authenticity of transcripts and other credentials includes:
    - a. The issuing institution's official seal;
    - b. Signature of the appropriate authorizing agent, preferably the institution's registrar;
    - c. The institution's official letterhead or stationary;
    - d. The institution's watermark or other identifier;
    - e. The date of issue.
  2. Credentials from institutions outside of the United States must be translated and evaluated for equivalency by either a reputable external agency, or if available, by a qualified internal NMSU employee. Final approval must be granted by the Executive Vice President and Provost or designee.
- B. Transcripts or Equivalent Credentials from Non-Accredited Institutions: Individuals whose qualifying degree is from a non-accredited institution in the United States (U.S.) will be considered on a case-by-case basis. When hiring such individuals, additional criteria must be considered, including the degree issuing institution's reputation, whether the institution is accredited or recognized by other agencies or organizations, and a thorough evaluation of the candidate's course work and experience. If such a hire is deemed desirable, the department head or equivalent must fully evaluate the faculty member's educational background and experience and document the findings in a memorandum to the dean. If the dean agrees that the individual possesses the appropriate academic preparation and experience, the dean or equivalent will forward supporting documentation with the request to hire.
- C. Additional or Updated Information Requests: NMSU may require an Instructor of Record to provide additional or updated documentation; it will be the responsibility of the Instructor of Record to respond in a timely manner.
- D. Documentation Required Pending Receipt of, or In Lieu of, Official Credentials: On rare occasion for circumstances which inure to the benefit of the students and not convenience to administration nor to the Instructor of Record, an Instructor of Record may be permitted to commence teaching prior to receipt of official credentials and/or an official evaluation of such credentials, *provided* that unofficial credentials have been provided and have otherwise been authenticated.
1. In such cases, a copy of the request for official credentials must be included in the Instructor of Record's qualifications documentation.
  2. In the interim, the hiring department head or equivalent will verify the Instructor of Record's degree and major field of study by contacting the awarding college/university.
  3. The department head or equivalent will also attempt to confirm receipt of the credential request, and will document if there is any type of hold on the release of the credentials.
  4. When the official credentials arrive, they will be forwarded to HR and placed in the Instructor of Record's file.
  5. Official credentials must be submitted to HR no later than the official census day of the hiring semester.
  6. In cases where an Instructor of Record's degree granting institution does not provide official credentials, the Executive Vice President and Provost will render a determination after considering the academic record presented and other relevant facts and evidence pertaining to an Instructor of Record's credentials and qualifications.
- E. Consequences for Non-Compliance with this Rule:
1. If after the university's official census day, all required documentation relating to faculty credentials, including but not limited to the official transcript and the external evaluation of international transcripts (if applicable), has not been received by HR, the Instructor of Record will be deemed to have not met credential requirements, and will not be eligible for reappointment the following semester.

- a. If the documentation is received after census day, the candidate may be reconsidered for eligibility for reappointment, depending upon the circumstances for the delay in receipt of credentials, at the discretion of the Executive Vice President and Provost.
2. Because proper credentials are a condition of employment, NMSU reserves the right to remove an Instructor of Record from a teaching or other academic assignment immediately if evidence is discovered which substantiates dishonesty materially affecting the Instructor of Record's purported academic record. *(See Rules 5.47 and 5.15.40)*