

District Proposal
12/4/07

Separative Agreement 12/4/07
a. Loren
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**ARTICLE 5
WORK HOURS, WORK YEAR AND WORKLOAD**

Work Hours

5.1 Regular faculty members shall be on campus or at other assigned work locations during each regular college instructional day, or as scheduled for Disabled Student Programs and Services Specialists, counselors, librarians, the Coordinator of the Children's Center (see Memorandum of Understanding dated November 3, 2004), and the Coordinator of Health Services for the purpose of fulfilling the following responsibilities:

- Provide instruction or services for the period of time determined by the provisions of this Article.
- Provide scheduled office hours for consultation with students.
- Serve on assigned college committees or perform other approved service to the college, including committees designated pursuant to ARTICLE 11, RIGHTS OF THE EXCLUSIVE REPRESENTATIVE, section 11.6.1. Any balancing of committee assignments shall not displace an assignment made pursuant to section 11.6.1 except by mutual agreement between the President of the Exclusive Representative and the Superintendent/President.
- Participate in activities of professional growth which are designed to enhance the quality of instruction or service provided and attend those meetings or functions as scheduled and/or approved by management.

5.1.1 If the need for an exception to section 5.1 arises, it may be granted in keeping with the established goals and objectives of the college. Before an exception is submitted for final approval, it must be approved by the appropriate Dean or Director.

5.1.2 In the application of the provisions of section 5.1, instructional faculty are also assigned a minimum of five on-campus office hours and five additional hours for committee/governance activities per week. The five hours for committee/governance activities are not assigned during winter, spring, and/or summer breaks or during an inter-session period.

5.1.3 The Superintendent/President has the responsibility to monitor the workload of all faculty members.

5.2 Full-time Disabled Student Programs and Services Specialists shall be assigned: 23 hours of direct student contact, five hours of other disabled student programs and services including professional growth, seven hours of preparation time for student contact, and five hours for committee/governance work per week. Weekly direct student

San Luis Obispo County Community College
CCFT Negotiations

Mediator's proposed settlement agreement
May 29, 2008

The San Luis Obispo County Community College District and the Cuesta College Federation of Teachers have completed negotiations for the 2007-08 academic year and agree to maintain the provisions of the current faculty collective bargaining agreement for 2007-08, except as modified below.

1. Implement the attached signed tentative agreement.
2. Increase the faculty salary schedules by 3% effective January 1, 2008.
3. Increase the District's contribution under Article 4, Section 4.2.3.1, Paragraph (A)(1) for dental insurance by \$7.40 per month for full time faculty.
4. Increase the District's contribution under Article 4, Section 4.2.2.1, Paragraph (A)(1) for dental insurance by \$3.70 per month for part time faculty.

The District and CCFT agree to recommend approval of the above proposed mediator's settlement agreement.



Marilyn Rossa, CCFT President

5/29/08

Date



Annette Loria, Executive Director
Human Resources & Labor Relations

5/29/08

Date



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- Provide instruction or services for the period of time determined by the provisions of this Article.
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- Serve on assigned college committees or perform other approved service to the college, including committees designated pursuant to ARTICLE 11, RIGHTS OF THE EXCLUSIVE REPRESENTATIVE, section 11.6.1. Any balancing of committee assignments shall not displace an assignment made pursuant to section 11.6.1 except by mutual agreement between the President of the Exclusive Representative and the Superintendent/President.
- Participate in activities of professional growth which are designed to enhance the quality of instruction or service provided and attend those meetings or functions as scheduled and/or approved by management.

5.1.1 If the need for an exception to section 5.1 arises, it may be granted in keeping with the established goals and objectives of the college. Before an exception is submitted for final approval, it must be approved by the appropriate Dean or Director.

5.1.2 In the application of the provisions of section 5.1, instructional faculty are also assigned a minimum of five on-campus office hours and five additional hours for committee/governance activities per week. The five hours for committee/governance activities are not assigned during winter, spring, and/or summer breaks or during an inter-session period.

5.1.3 The Superintendent/President has the responsibility to monitor the workload of all faculty members.

5.2 Full-time Disabled Student Programs and Services Specialists shall be assigned: 23 hours of direct student contact, five hours of other disabled student programs and services including professional growth, seven hours of preparation time for student contact, and five hours for committee/governance work per week. Weekly direct student

contact time for DSPS Specialists who are assigned to work during the summer break period shall be 28 hours.

5.3 Full-time Counselors shall be assigned: 23 hours of direct assignment by the supervisor, seven hours of preparation for student contacts, five hours for other counseling services including professional growth, and five hours for committee/governance work per week. Weekly direct assignment time for counselors who are assigned to work during winter, spring, and/or summer break periods shall be 28 hours.

5.4 Full-time Librarians shall be assigned: 30 hours of direct assignment by the supervisor (normally, 23 hours of direct student contact and seven hours of other assignments including professional growth), five office hours, and five hours for committee/governance work per week. Weekly direct assignment time for Librarians who are assigned to work during winter, spring, and/or summer break periods shall be 35 hours (28 hours of direct student contact and seven hours of other assignments including professional growth).

5.5 A full-time Coordinator of Health Services shall be assigned forty (40) hours per week.

5.6 A full-time Coordinator of the Children's Center shall be assigned forty (40) hours per week (see Memorandum of Understanding dated November 3, 2004).

Work Year

5.7 The work year for instructional faculty, Coordinator of the Children's Center (see Memorandum of Understanding dated November 3, 2004), and Coordinator of Health Services shall be 175 days. The work year for Disabled Student Programs and Services Specialists shall be 175 days or 197 days as specified in the employment contract.

5.7.1 The work year for Counselors and Librarians shall be 197 days. The schedule of workdays other than days of student attendance shall be developed by the appropriate Director by mutual agreement with each affected faculty member. If the Director and the faculty member are unable to achieve a mutual agreement, the Director shall determine the schedule consistent with the needs of the program.

5.7.2 The District may extend the work year of an employee or employees beyond the number of days specified in this section on a day-by-day basis at the employee's daily rate of pay. The District will notify the Exclusive Representative in advance if the work year of an employee or employees is to be extended. In an emergency situation, the Exclusive Representative will be notified as soon as practicable.

5.7.3 The work week for all full-time faculty shall normally be forty (40) hours per week exclusive of overload and consisting of student contact (service or instruction), preparation, office hours, participation in college governance and professional growth.

5.7.4 Reassigned time provided pursuant to Article 11, Rights of the Exclusive Representative may not be used to satisfy District-College governance requirements pursuant to this Article.

5.7.5 Regular full-time faculty shall be required to participate in staff development activities for the equivalent of ten days of six hours each of the 175 workdays in each academic year.

5.7.6 Flex activities must be performed at times when the faculty member is not scheduled for student contact (instruction or service), office hours, participation in the College governance process, or the performance of other services/professional growth.

5.7.7 Temporary, part-time faculty teaching 18-week semester courses shall be required to participate in flex activities for the equivalent of 1.5 times the number of hours taught in one week.

5.7.8 Temporary, part-time faculty teaching courses fewer than 18 weeks shall be required to participate in flex activities equal in time to the number of hours that the class would have met during a scheduled "flex day."

5.7.9 Credit toward the flex requirement shall be granted for only those approved activities for which completion is verified. Pay for unattended or incomplete staff development obligations shall be subject to civil collection action.

Workload Goals Committee

5.8 The college workload goal is an average of 525 WSCH per FTEF. A faculty workload committee shall be convened annually by the Vice President, Student Learning to determine the WSCH goals for college divisions or units in order to obtain the overall college workload goals.

5.8.1 The committee shall be composed of an equal number of unit members appointed by the Federation President and of managers appointed by the Superintendent/President. The chair shall be a unit member chosen by the membership of the committee. Decisions of the committee shall be made by consensus or, if consensus is not possible, by another method as agreed by the committee.

5.8.2 In the event that the committee is unable to recommend area or division WSCH per FTEF goals for the following academic year by December 1, the Vice President, Student Learning will set the goals within the District's workload goal.

5.8.3 The District and the Exclusive Representative agree that any revision to the division or unit workload goals that are recommended by the committee and accepted by the Board of Trustees shall be implemented. In such a circumstance, the Exclusive Representative specifically waives the right to negotiate any aspect of the revised goal.

Formula Hours

5.9 The appropriate Vice President or designee shall determine the class or service assignment and load for each faculty member. Workloads shall be computed in formula hours as set forth in this section.

5.9.1 The full-time load of a regular faculty member is based on 15 lecture hours or 20 laboratory hours or a combination of lecture and laboratory hours. One lecture hour equals six and sixty-six one hundredths percent (6.6666%) of a load; one laboratory hour equals five percent (5.0000%) of a load.

5.9.2 The District reserves the right to make an assignment which could vary from 93% to 107% of a normal load in any one semester, with semester loads balanced between fall and spring semesters of the academic year for full-time regular faculty. If an assigned load exceeds 107% in a semester and is not balanced by a reduced assignment within the academic year, the affected faculty member shall receive overload compensation for the percentage that exceeds 107%.

5.9.3 Regular faculty who have less than a full-time assignment shall be assigned lecture, service, and/or laboratory hours in an amount equivalent to the number most closely representing the faculty member's percentage of a full-time load.

5.9.3.1 Regular faculty who have less than a full-time assignment are not eligible for an overload assignment pursuant to sections 5.12.4.2 through 5.12.5.1.

5.9.3.2 An increase of the percentage of load for regular faculty who have less than a full-time assignment shall be accomplished only through the District's regular hiring procedures.

5.9.4 A faculty member who teaches in a large lecture class setting shall have the load formula computed for the large class section on the basis of the number of students reported on the student census.

5.9.4.1 Load credit shall be calculated at the rate of one and one-half times the regular load credit for a class section of 75 through 89 students, or two times the regular load credit for a class section of 90 or more students.

5.9.4.2 Any adjustment to the credit computation shall be applied to the faculty member's subsequent assignment or assignments.

5.9.5 Load credit for approved distance education courses shall be calculated pursuant to the terms of section 5.9.1 and, where applicable, section 5.9.4.1.

5.9.5.1 The assignment of a course or courses that will be taught in the distance education mode shall be by mutual agreement between the affected faculty member, the Division Chair (or Director where there is no Chair), and the appropriate Dean (or Vice President where there is no Dean).

5.9.5.1.1 The District agrees that it will not require that an existing course be offered solely in the distance education mode.

5.9.5.1.2 The initial agreement regarding a distance education course shall detail the provisions for District logistic and/or technical support for the distance learning course or courses.

5.9.5.1.3 Contact between students and instructional faculty who teach a distance learning class shall be provided as set forth in California Code of Regulations, Title V.

~~5.9.5.2 The District will provide reassigned time to a faculty member for the initial development of a course that the faculty member will teach in the distance education mode. The course must be either fully interactive or must be based primarily on electronic material that has been developed by the faculty member. A distance education course that does not meet the definition of fully interactive set forth in California Code of Regulations, Title V, and that is based primarily (51% or more) on commercially prepared and/or distributed material is not eligible for reassigned time as set forth in this paragraph. The reassigned time shall be equal to the load credit for the particular course and shall be provided no later than the semester in which the faculty member teaches the course for the first time. There is currently a CCFT/Academic Senate task force studying distance education. Upon conclusion of such task force's study of distance education, the recommendations will be forwarded to the negotiation teams for the District and CCFT.~~

~~5.9.5.2.1 Contact between students and instructional faculty who teach a distance learning class shall be provided as set forth in California Code of Regulations, Title V.~~

5.10 Formula hour credit for team teaching and co-teaching will be computed in proportion to the percentage of lecture or lab time that is assigned to each faculty member as approved by the appropriate Dean or Director. Formula hour workload assignments are not adjusted for classes that are assigned instructional assistants.

Preparations

5.11 Normally faculty members will not be assigned more than three different course preparations per semester for regular load assignments excluding overload assignments. The District and the Federation understand that different disciplines or other extenuating circumstances (e.g., necessity to maintain full-time faculty load or to preserve programs) may require different numbers of preparations.

5.11.1 The District will notify the Federation whenever the number of preparations for an instructor exceeds three in a semester.

5.11.2 Any assignment that exceeds four preparations per semester shall be by mutual agreement between the faculty member and management.

Assignment of Faculty

5.12 The appropriate Vice President or designee will determine the class or service assignment for each faculty member consistent with the provisions of this section. The Division Chair/Director, in consultation with the faculty, and following guidelines from the Dean or Vice President, will develop the initial schedule for classes and teaching or service assignments.

5.12.1 The assignment of regular faculty, including the teaching schedules or service load levels, will be determined by the appropriate Dean (or Vice President where there is no Dean) following consultation with the Division Chair (or Director where there is no Chair) and the faculty in the subject or service area.

5.12.2 The assignment of non-instructional faculty will be determined by the appropriate Vice President, Dean, or Director following consultation with the faculty in the subject or service area as applicable.

5.12.3 The assignment of temporary faculty members, including the teaching schedules or service load levels will be determined by the appropriate Dean (or Vice President where there is no Dean) following consultation with the Division Chair (or Director where there is no Chair).

5.12.3.1 Temporary faculty may be assigned to teach credit classes or to provide other service to the college and must meet the relevant state minimum academic and District qualifications or the equivalent.

5.12.3.1.1 Assignments of temporary faculty are contingent on the availability of classes, funding, and enrollment.

5.12.3.1.2 Temporary faculty employed in at least one of the four preceding semesters are eligible for assignment. Temporary faculty who have two overall ratings of needs improvement or unsatisfactory (or combination thereof) within the last three evaluations are not eligible for assignment.

5.12.3.2 Each temporary faculty member is limited to a teaching or service load level equal to the employee's highest load during the preceding four consecutive semesters, to a maximum of 60% of the contact hours per week considered a full time assignment for regular faculty having comparable duties. Emergency circumstances may necessitate exceptions, subject to the approval of the appropriate Vice President. When exceptions occur, teaching or service assignments shall be offered following consideration of the criteria in section 5.12.6.

5.12.3.3 Temporary faculty who are eligible for and interested in assignment to a temporary load will complete a "Course, Load and Scheduling Request" form as required by the District. In addition, consideration will be given to a temporary faculty member's preference of campus designation.

5.12.3.4 Eligibility for assignment does not guarantee that a temporary faculty member will be assigned to a particular teaching or service load or pattern of scheduling. Assignments may vary from semester to semester. Once an initial assignment is made, there is no bumping or displacement

by another faculty member, except to fill the load of a regular faculty member. Pursuant to Education Code Section 87665, temporary employees may be terminated at the end of any day or week, whichever is appropriate.

5.12.3.5 A temporary faculty member who does not maintain eligibility pursuant to section 5.12.3.1, inclusive, or who has declined an assignment in the prior academic year with fewer than 15 days notice is eligible for assignment only pursuant to section 5.12.4.3.

5.12.4 The initial assignment of faculty members in each academic year shall occur in the following progression:

5.12.4.1 Level One: All full-time regular faculty (and regular faculty who have less than a full-time assignment) shall be assigned as set forth in section 5.9.

5.12.4.2 Level Two: Assignments are made at Level Two contingent on the availability of classes, funding, and enrollment. Assignments at Level Two are made for the following eligible faculty:

- Full-time regular faculty who have applied for an overload assignment and who meet the criteria set forth in section 5.13. Regular faculty shall be eligible for an overload assignment at the level taught in the prior semester, to a maximum of 40%. A regular faculty member who declined an overload assignment in the prior academic year, or who is retired, is eligible for assignment only pursuant to section 5.12.4.3.
- Temporary faculty who have applied for an assignment and who meet the criteria set forth in section 5.12.3.1. The assignment shall be made on the basis of prior service to the District. In order to be eligible for assignment at Level Two, a temporary faculty member must have been assigned in four of the prior eight semesters. Temporary faculty shall be eligible for assignment at the highest level assigned in the ~~previous academic year~~ preceding four consecutive semesters as long as eligibility pursuant to section 5.12.3.1 is maintained. Also included in eligibility for Level Two assignments are (1) those temporary faculty whose load has followed a recurring, irregular pattern from semester to semester due to program or curriculum needs, (2) temporary faculty who take the lead position in a discipline where there is no regular faculty, and (3) coaches in the semester that the sport is in season.

5.12.4.3 Level Three: Assignments are made at Level Three following the placement of regular and temporary faculty pursuant to sections 5.12.4.1 and 5.12.4.2, inclusive, contingent on the availability of classes, funding, and enrollment. Assignments that remain unfilled following completion of the Level Two process are considered as new openings. When there is a new opening, a placement pool will be created. The pool will be formed

for the succeeding academic year in the area or areas where the opening or openings are anticipated. The pool will be composed of:

- Full-time regular faculty members who were not eligible for an overload assignment of 40%.
- Full-time regular faculty members who had no overload in the prior academic year.

- Full-time regular faculty who were temporary faculty in the prior academic year.

- Retired faculty who have indicated an interest.

- Eligible temporary faculty who have indicated an interest in increasing his or her assignment level, up to 60%.

- Other eligible and interested candidates who are not employed by the District, pursuant to Board Policy number 3064.

5.12.4.3.1 Assignment will be made pursuant to the criteria set forth in section 5.12.6.

5.12.4.3.2 In emergency circumstances, the District may hire an outside applicant for a period not to exceed one semester. The outside applicant must meet the established minimum qualifications for the position or positions. The Dean (or Vice President or where there is no Dean) shall consult with the Chair (or Director where there is no Chair) in such circumstances.

5.12.5 When the District is unable to make an overload assignment of regular faculty or an initial assignment of temporary faculty in a subject or service area at a level equivalent to the highest percentage of assignment during the prior four semesters (e.g., 40%) at Level Two or Level Three as appropriate, the District will apply the criteria set forth in section 5.12.6 in considering the assignment of eligible faculty and/or other candidates in the subject or service area.

5.12.6 The criteria to be applied where required by the provisions of section 5.12, inclusive, in order of consideration, are (a) educational preparation, specialization, and recency in discipline, (b) comparative quality of teaching or service performance as documented by evaluations, (c) recent and previous teaching experience in the subject area of the class or experience in the service area, (d) diversity, and (e) the cumulative number of semesters employed as faculty in the District. Criteria (d) and (e) are reversed in order of consideration in the assignment of temporary faculty pursuant to section 5.12.4.3.

5.12.6.1 It is understood and agreed by the District and the Federation that the District has the discretion to place differing values on the application of the elements within each of the criteria of section 5.12.6.

5.12.6.2 It is the intention of the parties that cumulative FTEF will be substituted for cumulative number of semesters employed as faculty

when the Management Information System contains the information for eight consecutive semesters.

5.12.7 An instructional or service assignment may include a split assignment between designated campus or center sites.

5.12.7.1 The District will not require that a regular faculty member's assignment be modified to a split campus/center assignment unless the assignment is necessary to maintain a full-time load and the faculty member has refused to reduce from a full-time load in order to remain at one campus.

5.12.7.2 Instructional faculty who have a split campus/center assignment shall have at least a two-hour interval between assigned duties, except by mutual agreement between the affected faculty member and the Dean. The two-hour interval shall not be included in the calculation of assigned work hours pursuant to sections 5.1 through 5.6, inclusive.

5.12.7.3 For service faculty who have a split assignment, travel time shall be a part of the assigned workday.

5.12.8 An instructional or service assignment may include a dual assignment between designated campus or center sites. The District will not require that a regular faculty member's assignment be modified to a dual campus/center assignment unless the assignment is necessary to maintain a full-time load and the faculty member has not agreed to reduce from a full-time load in order to remain at one campus. If more than one faculty member would satisfy the criteria related to the position, the least senior faculty member would be reassigned. Upon request, a regular faculty member who has been reassigned pursuant to this section shall be restored when there are sufficient available hours to constitute a full-time assignment at the campus/center from which the reassignment was made.

Overload Assignments

5.13 Regular faculty who are eligible for and interested in an overload assignment will complete a "Course, Load and Scheduling Request" form. Eligibility for assignment does not guarantee that a faculty member will be assigned to a particular overload assignment. Assignments may vary from semester to semester. Once an initial assignment is made, there is no bumping or displacement by another faculty member, except to fill the load of a regular faculty member. Pursuant to Education Code section 87484, the overload assignments of regular faculty may be terminated at any time.

5.13.1 A regular faculty member may be assigned up to the equivalent of 40% in addition to the full-time load. Emergency situations may necessitate an exception, subject to the approval of the appropriate Vice President.

5.13.2 The overload assignments of regular faculty members will be determined by the Dean (or Vice President where there is no Dean) in consultation with the Division Chair (or Director where there is no Chair). All offers of overload assignments are contingent on funding and/or enrollment, and satisfactory evaluations. Regular faculty who have two overall ratings of needs improvement

or unsatisfactory (or combination thereof) within the last three evaluations are not eligible for an overload assignment.

5.13.3 Compensation for an overload assignment shall be based upon the individual assignment and the appropriate salary schedule.

Fee-Based Credit Instruction

5.14 Faculty members who are qualified will be given priority consideration for employment as instructors in fee-based credit classes offered by the District. The provisions of section 5.14, inclusive, relate to those classes for which college credit is granted or for which State apportionment may be received.

5.14.1 In the event that a qualified faculty member does not apply for appointment as an instructor in a fee-based credit class, the District will employ a person who possesses appropriate academic qualifications. The person shall meet the State minimum qualifications for instructors.

5.14.2 A person who is employed by the District for a fee-based credit class pursuant to the provisions of section 5.14.1 is a member of the bargaining unit and is subject to the terms of this Agreement for the duration of the class except that the service shall not entitle the person to assignment as a temporary faculty member pursuant to section 5.12.4.2.

5.14.3 A person who is employed by the District solely to provide instruction in a fee based credit class will be evaluated on the same basis as temporary faculty pursuant to the relevant provisions of ARTICLE 7, EVALUATION PROCEDURES, except that there will be no peer evaluation component. The evaluation shall be conducted by a cluster dean or other instructional manager in the appropriate discipline or area of responsibility.

Promotions - Within the Unit

5.15 A regular faculty member may request to be considered for a posted position within the bargaining unit that would constitute a promotion (e.g., Division Chair, Coordinator positions within a Division, Assistant Directors). The term of service for each position shall be either two years or four years as specified in the posting. Except for the circumstances set forth in section 5.15.7, a Division Chair position shall be held by a full-time regular faculty member who has tenure. Assistant Directors may be temporary faculty members.

~~5.15.1 A selection committee shall be formed to review applications, schedule and conduct interviews, and to designate a finalist or finalists for the posted position.~~ *The semester prior to the end of the term of a Division Chair, Coordinator, or Assistant Director or at the time of an opening of a new position, the Dean's office will send an application and a copy of the appropriate job description to all eligible applicants for the position.*

~~5.15.1.1 The committee membership should reflect the diversity of the department or division (e.g., multiple service or subject area representation, gender, and ethnicity). Participation on a selection committee is voluntary. A selection committee will not be formed if there is only one applicant and the following criteria are met:~~

- *The applicant currently serves in the role and has completed one full term as Division Chair as defined in Article 5.15 and*
- *All evaluations during the previous term reflect a meets or exceeds expectations.*

5.15.1.2 No faculty member who is an applicant for the promotional position may sit on the selection committee. After the Dean receives the application and affirms the criteria as defined in Article 5.15.1 through 5.15.1.1 inclusive are met, the Dean notifies the applicant and the application is referred to the Superintendent/President for consideration of appointment. If an appointment is not made, a selection committee will be formed.

5.15.2 The selection committee shall consist of one management employee designated by the appropriate Vice President, two regular faculty members selected by the regular faculty of the department or division, one temporary faculty member selected by the temporary faculty of the department or division, and one classified employee selected by the classified employees of the department or division.

5.15.2.1 The committee membership should reflect the diversity of the department or division (e.g., multiple service or subject area representation, gender, and ethnicity).

5.15.2.2 No incumbent shall participate in any part of the selection process.

5.15.2.3 The faculty members of the committee shall be elected by a simple majority of votes of the faculty in a secret ballot election.

5.15.2.4 The management committee member shall be responsible for organizing and chairing the organizational meeting of the selection committee and for establishing a time line that will provide for the process to be completed during the semester prior to the effective date of the appointment.

5.15.2.5 All members of the selection committee are required to attend each committee meeting. A member who misses a committee meeting will not continue to serve on the committee.

5.15.2.6 If there is an insufficient number of regular faculty members in the department or division to fill one or more of the regular faculty member positions on the committee, additional temporary faculty from the department or division and/or regular faculty members from other departments or divisions may be selected.

5.15.2.7 If there are no temporary faculty members in the department or division, the selection committee is not required to have a temporary faculty member.

5.15.2.8 *If there are no classified employees in the department or division, the selection committee is not required to have a classified employee.*

5.15.3 In order to accommodate departmental or divisional preferences and staffing differences, the composition of the selection committee as set forth in this section may be expanded if agreed to by a majority of the regular faculty of the department or division who are present at the organizational meeting. The appropriate Vice President will be included in the discussion of a proposed expansion of the committee prior to the faculty's vote.

~~5.15.3.1 If there is an insufficient number of regular faculty members in the department or division to fill one or more of the regular faculty member positions on the committee, additional temporary faculty from the department or division and/or regular faculty members from other departments or divisions may be selected. *Move to 5.15.2.4*~~

~~5.15.3.2 If there are no temporary faculty members in the department or division, the selection committee is not required to have a temporary faculty member. *Move to 5.15.2.5*~~

~~5.15.3.3 If there are no classified employees in the department or division, the selection committee is not required to have a classified employee. *Move to 5.15.2.6*~~

5.15.3.4 Other department or divisional faculty or classified employees may be included on the selection committee if a majority of the regular faculty present at the organizational meeting agrees to the expansion. In such a situation, the regular faculty members shall maintain majority membership on the committee.

5.15.4 The organizational meeting of the selection committee shall be convened by the management representative. The first order of business shall be the selection of the committee chair (who must be a faculty member). Following selection of the chair, the committee shall establish the selection criteria, which shall reflect the job description for the position, and the interview format, which shall be applied uniformly and consistently to all applicants. The method of selecting a finalist or finalists shall be determined by the committee. ~~Finalists shall be given a written description of the interview format or structure.~~ The selection shall be by secret ballot or by an alternate method as agreed by the committee.

~~5.15.5 The selection committee chair shall send an application form, a copy of the appropriate job description, a description of the selection criteria and the interview format, and a statement of the deadline by which applications and supporting documents must be submitted to the committee to each eligible regular faculty member of the department or division. *The selection committee chair shall send a description of the selection criteria, the interview format, a description of any other requested documents, and the requested document submission deadline to each applicant.*~~

~~5.15.5.1 Following the close of the period for receiving applications, the selection committee shall review the applications and shall schedule and conduct the interviews.~~ *Following the close of the period for receiving requested documents, the committee shall review the applications and documents, and shall schedule and conduct the interviews.*

5.15.5.2 Following the interviews, the finalist or finalists will be selected. The name or names shall be transmitted to the Superintendent/President as the nomination or nominations of the selection committee. In addition, the committee shall provide the Superintendent/President with copies of the application and supporting documentation that were considered by the committee for each finalist.

5.15.6 The Superintendent/President, another management representative, and the chair of the selection committee shall jointly interview the nominee or nominees.

5.15.6.1 Only in exceptional circumstances or for compelling reasons would the Superintendent/President reject the nominee or nominees of the selection committee. If all nominees are rejected, the Superintendent/President shall communicate the reason or reasons for the rejection to the selection committee.

5.15.6.2 If a nominee is acceptable to the Superintendent/President, the appointment of the faculty member shall be recommended to the Board of Trustees for approval.

5.15.7 Interim or temporary appointments to posted positions may be made in the circumstances set forth in this section, subject to approval of the appointment by the Board of Trustees.

5.15.7.1 If there are no applicants for the position, or if the selection committee does not nominate a person for the position, the appropriate Vice President, in consultation with the regular faculty of the department or division, shall make a one-year interim appointment to the position. The selection process will be initiated for the following academic year.

5.15.7.2 If the position is vacated permanently prior to the end of the term due to illness, resignation, retirement or other cause, the appropriate Vice President, in consultation with the regular faculty of the department or division, shall make a one-semester interim appointment to the position. The selection process will be initiated immediately.

5.15.7.3 If the position is vacated on a temporary basis due to a leave of absence (e.g., fellowship, illness, sabbatical), the appropriate Vice President, in consultation with the regular faculty of the department or division, shall make a temporary appointment to the position.

Promotions - Outside the Unit

5.16 An employee may request to be considered for a posted position outside of the bargaining unit that would constitute a promotion by submitting an application on the

forms provided by the District. Applications shall be transmitted through the Human Resources Office to the Superintendent/President and the appropriate department or division at which the application is directed.

5.16.1 Applications for promotions shall be considered in the fashion and manner required by Board Policy, applicable regulations of the State Chancellor, and law.

5.16.2 With regard to a District selection committee that considers the appointment of an academic management position, the Superintendent/President shall appoint the President of the Exclusive Representative or a designee.

Miscellaneous Provisions

5.17 Subject to the Board of Governor's regulations and Chancellor's office guidelines, the use of electronic mail for consultation and/or contact with students shall be at the discretion of the individual staff member.

5.18 The workload of a regular faculty member may be reduced without a reduction in retirement credit or the District's contribution to the fringe benefits program as set forth in sections 4.1 through 4.4 pursuant to the terms and conditions of Board Policy 3165: Pre-Retirement Reduction in Time Base.