

Associate Faculty Reemployment Preference MOU

A. REEMPLOYMENT PREFERENCE

1. **Reemployment Preference:** Associate Faculty members who have reached certain thresholds as set forth below may apply for Reemployment Preference per course, *“specific classes or take on specific assignments”* from the District Office.
2. **Minimum standards:** Direct quotes of the minimum standards for reemployment preference, pursuant to section 87482.3 (B), include:
 - a. “The length of time part-time, temporary faculty have served at the community college or district.”
 - b. “The number of courses part-time, temporary faculty have taught at the community college or district.”
 - c. “The evaluations [as delineated in Faculty Association agreement Article XI] of part-time, temporary faculty conducted pursuant to Ed Code Section 87663 and other related methods of evaluation that can be reliably used to assess the educational impact of part-time, temporary faculty as it relates to student success.”
 - d. “The availability, willingness, and expertise of part time, temporary faculty to teach specific classes or take on specific assignments that are necessary for student instruction or services.”
 - e. “Additional standards may be negotiated regarding the processes and procedures for assigning part-time, temporary faculty to teach courses or staff non-classroom assignments.”

B. ASSIGNMENT OF ASSOCIATE FACULTY

1. **Right of assignment:** The appropriate college administration maintains the right of assignment for all faculty assignments, both part- and full-time, and shall be established by college location at which the Associate faculty person has taught.
2. **To receive reemployment preference from Moreno Valley College, Norco College, or Riverside City College, the following criteria is used when making assignments for part-time faculty:**
 - a. Subject matter expertise of the Associate Faculty per course (e.g.) skills, abilities, or certificates possessed by faculty related to courses offered in a specific discipline (specialties).
 - b. College-based Associate Faculty workload history teaching assignments at each of the individual colleges where Associate Faculty have
 - i. taught at least 2.0 FTE per course (10 courses if 0.2) at the college the faculty are applying for preference. For

counselors and librarians, the equivalent total number of hours is 1,215 (compressed calendar).

- ii. recency (within in past two years) of teaching or other relevant experience for assignment.
 - iii. [A semester shall be defined as either fall or spring semester.]
- c. Satisfactory evaluations: Associate faculty are assessed on a three-year Improvement of Instruction (IOI) cycle and must earn an overall satisfactory rating. Associate faculty satisfactory evaluations from the first, third and fifth terms of hire are on file and include both peer and student evaluations (or equivalent) from the college for which the associate faculty person is applying for reemployment preference.
- d. If an associate faculty person has not been evaluated in accordance with the contractual standards, they may appeal to the dean to be evaluated in consecutive terms until they are eligible for reemployment preference.
- e. Availability/willingness of faculty to teach: Associate faculty shall indicate their availability to teach, as well as the classes that they prefer to teach, by completing *Availability Forms* that will be circulated at the appropriate times (See Appendix A1). The forms must be submitted by the specified deadlines for consideration.
- f. Additional standards may be considered and established; Disciplines/Departments may outline “specialties” in Department Operations to determine “expertise” (see Appendix A2).
- g. Upon satisfactory attainment of the above, an associate faculty person shall be deemed to have Reemployment Preference.
3. **Resolving concerns regarding teaching assignments:** If associate faculty concerns regarding assignment cannot be resolved with the department chair; it shall be brought to the area dean. If the concerns are not resolved at the dean level, the issue shall be brought to the attention of the appropriate vice-president.
4. **Applying for reemployment preference:** Associate faculty may apply for reemployment preference per course in an academic discipline if they satisfy the criteria in paragraph 2, above, by submitting an application to their dean, which application must be verified by the District Office, where a list of associate faculty with reemployment preference each semester, including the disciplines in which they have preference, will be

published.

5. **Effect of Reemployment preference:**

- a. Associate faculty person certified with reemployment preference in an academic discipline will be offered an assignment in the discipline before an associate faculty person without reemployment preference, provided that he/she is qualified for the assignment, using the criteria in paragraph B.2. above;
- b. The college will attempt to maintain a course/assignment from semester-to-semester, as long as the factors in paragraphs A.2. and B.2. support that practice; and
- c. All associate faculty, including those with reemployment preference, must indicate their availability to teach each semester, including summer/winter terms.

6. **Losing Reemployment Preference:** Associate faculty may lose reemployment preference if any of the following occur:

- a. Associate faculty accepts and then rejects or fails to complete an assignment without a compelling reason for so doing. A faculty member who performs service only each fall, or each spring, or in the summer, will not be deemed to have rejected an assignment in the other semesters in which he or she does not normally work;
- b. Associate faculty fails to adhere to District/College policies and procedures, violates or refuses to obey laws, regulations, or published practices of the District/College;
- c. Associate faculty receives an overall rating of "Needs Improvement" in the IOI process for two consecutive semesters; or
- d. Associate receives an overall rating of "Unsatisfactory" in the IOI process for a single semester.

7. **Unavailability of courses:** In the event that there are more associate faculty instructors with reemployment preference than there are available teaching assignments, reemployment preference shall be determined by consideration of:

- a. The number of semesters the instructor has taught at RCCD.

- b. The number of times the instructor has taught the course to be assigned.
- c. If a tie remains, the class shall be assigned by the drawing of lots.
- d. **“Bumping.”** From time-to-time, an assignment may be canceled, for instance, due to low enrollment or a full-time faculty member is hired. In the event that an associate faculty person with reemployment preference, whom has been assigned a single course, is left with no assignment, the associate faculty person with preference shall have the opportunity to bump an associate faculty person without preference for a course. A cancellation shall not change the reemployment preference status of the affected associate faculty person.

8. **Full Time Faculty Retirees:** Preference is given to full time faculty who retire for the first semester that they are eligible to teach. Retired faculty will be evaluated during the first semester serving as part time faculty and if they receive satisfactory, they will be eligible to apply for preference and be considered on the three-year cycle.
9. **Evaluation Cycle:** If a part time faculty member, on the three-year evaluation cycle, receives a ‘needs improvement ‘or ‘unsatisfactory’ evaluation, then two senior faculty members of the discipline (or closely related discipline) shall review the evaluation and, if the two senior faculty members find that the ‘needs improvement’ or ‘unsatisfactory’ was not warranted, they will write a written report to be included in the final evaluation. It is understood that a “needs improvement” or ‘unsatisfactory’ evaluation does not in any way guarantee an assignment in the next term.
10. **Temporary employment:** Pursuant to section 87482.3(d) of the Education Code, “In all cases, part-time faculty assignments shall be temporary in nature, contingent on enrollment and funding, and subject to program changes, and no part-time faculty member shall have reasonable assurance of continued employment at any point, irrespective of the status, length of service, or reemployment preference of that part-time faculty members.”
11. **Policies for Part-time Faculty Termination:**
 - a. Unavailability of courses for more than two years.
 - b. Failure to adhere to District/College policies and procedures, violates or refuses to obey laws, regulations, or published practices of the District/College.
 - c. Overall “Needs Improvement” rating in the IOI process for two consecutive semesters
 - d. Overall “Unsatisfactory” rating in the IOI process for a single semester.

12. This section, agreed to between the parties before July 1, 2017, implements section 87482.3(b) of the Education Code.

For the District:

Michael A. Burke

6/5/17

For the RCCDFA:

[Signature]