Side Letter of Agreement 2018-19.3

Cabrillo Community College District (District)
and the
Cabrillo College Federation of Teachers (CCFT)

Article 16 Adjunct Faculty

For 2019-20 the District and CCFT agree to the following:

The strike/red-line changes set forth below are intended to establish a temporary 2-Year Pilot Program for only the sections of Article 16 set forth below for academic years 19/20 and 20/21 only – per agreement of CCFT and the District.

16.3 Scheduling: Adjunct Assignment

16.3.1 The District has right of assignment through the Division Dean or appropriate administrator. Questions or concerns regarding assignments should be brought to the attention of the Division Dean or appropriate administrator.

16.3.2 An adjunct unit member shall have the opportunity to state their his or her availability and list preferred courses and desired load by submitting an "Availability Statement" (Appendix I.1) to the appropriate Dean (or program head when the course falls outside the division) prior to the development of the schedule for each semester or session.

If an adjunct unit member requests but does not receive their Adjunct Modal Load (as defined in Section 16.8.3 below) an assignment for any given semester or session, the appropriate administrator shall notify the unit member in writing and shall specify in this notice one or more of the following reasons for this decision. Reasons for not receiving their Adjunct Modal Load an assignment shall include:

(a) less than satisfactory evaluation
(b) termination of course offering
(c) return of a probationary or regular contract member from leave, where the adjunct unit member was employed as a temporary replacement
(d) consolidation of positions toward a contract position
(e) the need of a regular or contract unit member to complete a normal load
(f) reduction in force
(g) maintenance of continuity and quality of educational program
(h) violation of or refusal to obey laws governing community colleges and/or regulations of the District.
(i) demonstrated need of the District. In this case, the District need shall be identified.
(j) not available when course is scheduled.
(k) lack of availability of teaching units within the program for that semester.

If an adjunct unit member does not receive an assignment for any given semester or session, the unit member may continue to submit "Availability Statements" to the appropriate administrator for up to four (4) semesters.

16.3.2.1 If an adjunct unit member is also a classified employee of the college, the adjunct assignment shall not cause the classified employee’s work week to exceed forty (40) hours per week nor the workday to exceed eight (8) hours per day. This restriction applies to all adjunct assignments, including for those adjunct unit members who have established reemployment preference.
16.3.3 "Availability Statements" (Appendix 1.1) shall be used in making decisions pursuant to Section 16.4 below.

16.4 Notification of Assignment
In offering an assignment to an adjunct unit member each semester or session, the District/Division Office will make use of the following criteria:
(a) Availability of the individual
(b) Availability of teaching units within the program for that semester
(bc) Evaluations
(ed) Length of service as defined below in 16.8.1
(de) Reemployment preference as defined in 16.8.2
(e) Continuing comparable assignment
(ef) Educational preparation or study, relevancy or recency of related work and teaching experience, in specific course or assignment.
(fg) Maintenance of continuity and quality of educational programs.

Taking into consideration the criteria in (a) – (g) above, the District/Division Office will make use of the following process:
1) In order of seniority as indicated in the length of service list, adjuncts shall be offered their Adjunct Modal Loads;
2) In order of seniority as indicated in the length of service list, adjuncts with a load of less than 60-70% shall be offered units to bring their load up to 60-67%, unless a lower load was requested in their availability statement;
3) Any remaining units shall be offered to adjuncts without reemployment preference.

16.8.3 "Adjunct Modal Load" is defined as follows:
(a) The single most frequently occurring load within the last four semesters assigned, or, if there is none, then
(b) The single most frequently occurring load within the last three semesters assigned, or, if there is none, then
(c) The median load within the last three semesters assigned.
(d) Part-time faculty with a pattern of alternating assignments for three or more semesters will have a modal load that continues the alternating pattern.

16.8.3.1 Adjunct Modal Load would be computed once per year by the adjunct faculty no later than the day after census of the Fall semester and would be considered for assignment of teaching units for the next academic year. The calculation of Adjunct Modal Load may be submitted by an adjunct faculty wishing to submit such information to the Division for consideration of assignment of teaching units under this Article 16. Any adjunct faculty may calculate, certify, and submit a “Certification of Adjunct Modal Load” to the Division Dean using the form in Appendix 1.2. The Division Dean will then work with the appropriate Division personnel to verify the accuracy of the information submitted by the adjunct and shall notify the adjunct of any discrepancy. If an assignment is offered and accepted by an adjunct, then canceled by week two of the semester, the teaching units for that canceled assignment shall not be included at any time in calculating Adjunct Modal Load. If any adjunct faculty does not timely submit a Certification of Adjunct Modal Load form, then that adjunct’s prior load may not be considered in assignments for that cycle.

An adjunct unit member with reemployment preference in an academic discipline shall be offered an assignment therein before an adjunct unit member without reemployment preference, provided she/he is qualified for the assignment as noted in 16.4. While all of the criteria in 16.4 are used in making assignments and the number of available assignments can change based on several
factors, the District will make an effort to provide continuing comparable assignment to adjunct unit members with reemployment preference.

16.8.4 If, during any semester, there are more adjunct unit members with reemployment preference than there are available assignments in an academic discipline, the available assignments shall be offered to those adjunct faculty who are most senior according to the Length of Service List, provided she/he meets the criteria specified in 16.4.

16.8.4.1 After an adjunct faculty member has been offered and has accepted an assignment, orally or in writing, an adjunct faculty member shall not be displaced by a more senior adjunct faculty member.

Date: June 24, 2019

[Signature]
For Cabrillo Community College District

Date: June 27, 2019

[Signature]
For Cabrillo College Federation of Teachers (CCFT)
CERTIFICATION OF MODAL* LOAD
ADJUNCT UNIT MEMBERS

To: ___________________________  Date: ___________________________

From: _________________________  Division & Dept. _______________________

Load History:

<table>
<thead>
<tr>
<th>Semester</th>
<th>Teaching Load (TUs)</th>
<th>Verified</th>
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<tbody>
<tr>
<td>Fall</td>
<td>______</td>
<td></td>
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<tr>
<td>Spring</td>
<td>______</td>
<td></td>
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<tr>
<td>Fall</td>
<td>______</td>
<td></td>
</tr>
<tr>
<td>Spring</td>
<td>______</td>
<td></td>
</tr>
</tbody>
</table>

Modal* Load Analysis:

Academic Year: _____________

<table>
<thead>
<tr>
<th>Case</th>
<th>Description</th>
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<tbody>
<tr>
<td>☐</td>
<td>(a) The single most frequently occurring load within the last four semesters</td>
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<td></td>
<td>assigned, or, if there is none, then</td>
</tr>
<tr>
<td>☐</td>
<td>(b) The single most frequently occurring load within the last three semesters</td>
</tr>
<tr>
<td></td>
<td>assigned, or, if there is none, then</td>
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<tr>
<td>☐</td>
<td>(c) The median** load within the last three semesters assigned</td>
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<tr>
<td>☐</td>
<td>(d) Part-time faculty with a pattern of alternating assignments for three or</td>
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<td></td>
<td>more semesters will have a modal load that continues the alternating pattern</td>
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<table>
<thead>
<tr>
<th>Modal Load (TUs)</th>
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<tbody>
<tr>
<td>Fall Semester:</td>
<td>______</td>
</tr>
<tr>
<td>Spring Semester:</td>
<td>______</td>
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</tbody>
</table>

* Mode: The value that occurs most frequently in a given set of data.
** Median: The value separating the higher half from the lower half a set of data. The value in the middle.

Signature: ___________________________  Date: ___________________________

RETURN THIS FORM TO DIVISION OFFICE

Revised 6/25/19
Side Letter of Agreement 2018-19.3
CCFT CONTRACT AGREEMENT
APPENDIX L.I
AVAILABILITY STATEMENT
ADJUNCT UNIT MEMBERS

To: ______________________ Date: ______________________
From: ______________________ Division & Dept. ______________________

I. Check all that apply:

- [ ] A. I am interested in an adjunct assignment as indicated in section II below.
- [ ] B. I will NOT be available for an adjunct assignment until ___________.
  (Non-availability cannot exceed four semesters).
- [ ] C. I am interested in increasing my teaching load.

II. If you checked item A above, please indicate your course, day and time availabilities:
  Check session and indicate year:

- [ ] Summer ______  [ ] Fall ______  [ ] Wintersession ______  [ ] Spring ______

  A. In order of preference, list the courses you would like to teach:

  __________________________________________________________

  __________________________________________________________

  __________________________________________________________

  __________________________________________________________

B. Check the times you are available:

<table>
<thead>
<tr>
<th>Monday</th>
<th>Tuesday</th>
<th>Wednesday</th>
<th>Thursday</th>
<th>Friday</th>
<th>Saturday</th>
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<td>Evening</td>
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C. If you have specific time, day, or course restrictions or special considerations, please note them here:

  __________________________________________________________

  __________________________________________________________

  __________________________________________________________

  __________________________________________________________

D. Online Assignments:

- [ ] I am not currently available for online assignments
- [ ] I am available to teach the following courses/assignments in an online format: ______

  __________________________________________________________

  __________________________________________________________

Signature: ______________________ Date: ______________________

RETURN THIS FORM TO DIVISION OFFICE