

ARTICLE 8

SCHEDULING

8.1 Faculty shall be guaranteed participation in assignment and scheduling. Such participation shall be in accordance with the following:

8.1.1 **SCHEDULE DEVELOPMENT**: Faculty, within their recognized department adhering to established division/guidelines/regulations shall:

8.1.1.1 From the course, sections, modalities, rooms, and room times made available to it, the faculty prepares and recommends department schedules, through the Division Chairperson/Dean, showing individual teaching schedules including extended day, off-campus, and summer offerings. Faculty may request discussion of enrollment trends and other bases on which particular courses and numbers of sections are established. When a reduced number of sections, rooms, or times has been made available by management, or when management has denied faculty requests for expansion, management must present department faculty with written documentation supporting their decisions within five (5) working days.

8.1.1.2 Such recommended schedules shall be developed in accordance with written rules, procedures, and priorities which the faculties within their recognized department or DVC teaching area shall have established and shall include the schedule of the Division Chairperson.

8.1.1.3 Where an assignment includes unscheduled hours, the member shall be responsible for selecting the activities and forwarding the program to management for review. Where any dispute occurs, the procedural provisions of the Scheduling Article, Section 8.1, shall be used for resolution of the dispute. The member shall determine the time and place of the activity performed. Management-required meetings are included in the basic load of 35 hours.

8.1.1.4 Any member of a department may request the formation of a United Faculty appeals committee when it is alleged a department's recommendation to management was not made according to the department's rules and procedures.

8.1.1.4.1 The United Faculty shall immediately upon receipt inform the appropriate manager of the appeal and request no action be taken on the department recommendation.

8.1.1.4.2 The committee shall be formed within five (5) working days from date of filing the complaint in the United Faculty office.

8.1.1.4.3 The committee shall consist of three (3) United Faculty members, none can be from the department in question. One management employee shall additionally serve on the Appeals Committee.

8.1.1.4.3.1 The chairperson will be the United Faculty vice president from the affected campus, unless the vice-president is a member of that department, in which case the United Faculty president shall be the chairperson.

8.1.1.4.3.2 The remaining two (2) members shall be selected by mutual consent of the campus United Faculty vice-president and the United Faculty president.

8.1.1.4.4 Within ten (10) working days the committee shall hold a hearing in which to review all appropriate material presented by the department and the complaining member. The committee is to determine whether or not the department's recommendation was made according to the department's rules and procedures.

8.1.1.4.4.1 If the committee determines that the rules and procedures were followed, the recommendation stands.

8.1.1.4.4.2 If the committee determines that the rules and procedures were not followed, the committee chair shall inform the appropriate manager of the decision. The manager shall not accept the departmental recommendation previously received. The department shall be directed to prepare a new recommendation as per departmental rules and procedures and submit to the manager.

8.1.1.4.5 The action of the committee shall be binding on all parties and not subject to the grievance procedure of Article 19.

8.1.2 **SCHEDULE CHANGE BY MANAGEMENT:** All efforts will be made by management to schedule regular and contract faculty according to the recommended schedules. Where any first (1st) level manager changes such recommended schedule, the faculty member may:

8.1.2.1 First discuss with the first (1st) level manager the dispute area(s).

Management may not change the schedule in any way that results in any of the following:

8.1.2.1.1 More than 3 consecutive lecture hours or 4 consecutive lab hours except with the agreement of the faculty member affected.

8.1.2.1.2 Fewer than 12 hours from the end of one day's work to the beginning of the next except with the agreement of the faculty member affected.

8.1.2.2 Any matter remaining unresolved may be appealed to the next higher level college manager.

8.1.2.3 Where any dispute area(s) remain after 8.1.2.2, above, management will assign staff to meet the District needs.

8.1.3 **SCHEDULING REQUIREMENTS FOR DIVISION GUIDELINES:** Division guidelines/regulations shall be established in consultation with division faculty through and with their recognized department structure. Such guidelines/regulations shall include, but not be limited to, such items as:

- Format and timelines for recommendations.
- Methods for distributing multiple section courses.-- Inter-departmental scheduling articulation.
- Proportion of day/evening offerings.

8.2 **CANCELLATION OF SCHEDULED CLASSES:**

8.2.1 When cancellation of a class is being considered within a week before the class begins and during late registration, the chairperson of the department affected, and, whenever possible, the instructor of the class shall be notified at least 24 hours before management proceeds with the class cancellation to review registration patterns. In all other circumstances, the chairperson of the department affected, and, whenever possible, the instructor of the class shall be notified at least one week before management proceeds with the cancellation to review registration patterns.

8.2.2 Where a class has an enrollment of twenty (20), as determined by class attendance at the end of the late registration period, it shall not be canceled, except with agreement of the instructor.

8.2.2.1 Before the schedule is published, if a department and management agree that a class is innovative in content, time offered, or delivery method, they shall also mutually agree on a minimum number less than 20 to avoid class cancellation. The class shall not be canceled if it has reached that enrollment number by the end of late registration. The United Faculty shall be notified of each variance. Included in the agreement will be the determination of how many semesters the class will be offered as an innovative class. Under no circumstances shall such classes be designated as innovative for more than three (3) semesters without management's approval.

8.2.3 No class shall meet beyond the close of the late registration period unless the enrollment, as determined by class attendance, is at least twenty (20) students, or, an exception is made by the College President because of such special circumstances as: related training program for apprentices, advanced classes which are a part of a major sequence, performance classes, or courses where the enrollment determines the number of teaching hours credited the instructor.

8.2.3.1 Late registration is to generally be defined at 1/9 of the course length; however, management does have the right to extend the period if a class is under-enrolled.

8.2.3.2 Short-term classes shall not be canceled prior to one (1) week before the first-class meeting, except with the agreement of the instructor.

8.2.4 Cancellation of sections of less than twenty (20) shall be preceded by notification to the recognized department chairperson and/or individual faculty member, of the intent to cancel.

8.2.5 Any deviation from the contractual workload of the member caused by cancellation shall be adjusted within the semester of cancellation, or the three (3) regular following semesters after consultation with the member.

8.2.5.1 Within the Semester of Cancellation. Members who owe teaching hours will assume after consultation sufficient courses or alternative assignments in the day or extended day program to balance any deficit. However, no member shall be required to translate an "A/C" contract to an "A" contract to balance a deficit during the semester of occurrence, unless the member has more than one "A/C" contract assignment. In such case, one of the "A/C" contract assignments shall be used to balance all or part of the deficit.

8.2.5.2 In subsequent Semesters. Members who owe teaching hours will assume sufficient courses or alternative assignments in the day or extended day program to balance any deficit hour load existing due to the cancellation. (See Article 7.4) After three (3) semesters, no "A/C" classes can be assigned until the deficit due to cancellation is eliminated. Management shall notify the member one semester before this restriction is applied.

8.2.5.3 Alternative assignment may include, but not be limited to, such activities as: a mutually agreed upon reassigned time project, short-term classes, replacement classes, extended day assignment, etc. Scheduling shall be in accordance with Sections 8.1 through 8.1.3 of this article.

8.2.5.4 Other balancing options.

8.2.5.4.1 Members may opt to have his/her salary reduced proportionately to balance all or part of a deficit.

8.2.5.4.2 With management concurrence a member may complete a proposed alternative assignment(s) to balance all or part of a deficit.

8.2.5.4.3 Only those deficits owed by the member at retirement or resignation shall be owed the District where the deficit occurred because the member failed to translate a "A/C" contract to an "A" contract to balance the deficit. The amount owed shall be deducted at the "A/C" contract rate.

8.2.6 Class Cancellations for Part-Time Faculty. Education Code 87482.8: Whenever possible, part-time faculty should be paid for the first week of an assignment when class is cancelled less than two (2) weeks before the beginning of a semester. If a class meets more than once (1) per week, part-time faculty should be paid for all classes that were scheduled for that week.

A part-time faculty member who loses a class assignment within two (2) weeks of the start of the assignment should be compensated under the this provision; however, a part-time faculty member who loses a class assignment within two (2) weeks of the start of the assignment but who is offered and accepts another assignment (such as a late-starting class or a class in another modality) in the same semester should not be compensated under this provision.

- 8.3 **EXTENDED DAY:** A unit member scheduled to teach in the extended day program as part of his/her load shall be given consideration with regard to times of regular day assignment. The location of the class shall be considered to be the campus so that office hours may be held in relation to the assignment.
- 8.4 **TEACHING BY MANAGERS:** With the approval of the Chancellor and the College President, a District or College manager may teach extended day or Saturday courses or sections with salary based on class and step placement on the appropriate teaching salary schedule.
- 8.4.1 No manager will be assigned a course requested by a contract or regular faculty member.
- 8.4.2 Managers who request to teach or who are available to teach shall submit their request to the Department and shall be considered in accordance with all provisions of Article 8, Section 8.1, Scheduling. All sections which are available shall be submitted to the Department for scheduling.
- 8.4.3 Managers shall be considered as within the available "part-time" pool, and there is no priority over other part-time applicants.
- 8.5 **OVERLOAD ASSIGNMENT LIMIT:** Overload assignments will be limited to fifty percent (50%), which may be averaged over the two semesters of the academic year, unless approved by management.