MEMORANDUM OF UNDERSTANDING

Article 7-Part-Time Faculty

This Memorandum of Understanding is entered into by and between the Foothill-De Anza Community College District ("District") and the Foothill-De Anza Faculty Association ("FA").

This MOU serves to amend the COOP Faculty MOU dated June 30, 1999. The parties agree to implement reemployment preference in the COOP programs at Foothill and De Anza in the following way:

1. One assignment shall consist of a section of 20 students.

2. Part-time faculty may receive more than one assignment if sufficient numbers of students are available, per Article 7.6.

3. In order to receive an assignment, the part-time faculty member must be “qualified” for the assignment, per the definition in the final section of Article 7.2.

4. A part-time faculty employee may refuse an assignment due to extenuating circumstances (such as, for example, distant geographical location or duty times scheduled outside of the normal work day or work week). If a faculty employee declines an assignment due to these circumstances, the decline shall not result in the termination of reemployment preference per Article 7.8.2.2.

5. Faculty-recruited students shall be assigned to the faculty employee who recruited them for the quarter of their initial enrollment in the program, provided that the faculty employee's number of assignments shall not exceed the 60 percent load limitation.

6. Unless they request otherwise, “returning students” shall be reassigned to their instructor from the prior quarter. These “returning students” shall be counted as part of the instructor’s load for the quarter.

7. “New students”—students who are entering the program for the first time and have been recruited by the program director--shall be allocated according to the following provisions:

   a) The scheduler shall start at the top of the reemployment preference list. If the part-time faculty employee does not have a sufficient number of returning students to constitute a section (20), that faculty employee shall be assigned sufficient new students to provide him or her with one full assignment (20 students). If the faculty employee already has the equivalent of one assignment (20 students), the scheduler will not assign additional students on this pass.

   b) The scheduler shall move through the reemployment preference list, from the most senior to the least senior, assigning students in the same fashion as described above.
c) If sufficient numbers of students exist, the scheduler will make a second pass through the reemployment preference list, offering a second assignment (20 students) to each faculty member who does not already have 40 students.

d) This process shall continue until all of the students have been assigned, or until all of the faculty have reached their 60 percent load limit.

e) Faculty with returning students shall not receive new students until they are eligible to do so in accord with their position on the reemployment preference list.

f) A part-time faculty member with reemployment preference shall be offered assignments before any part-time faculty member without reemployment preference is offered assignments, provided the part-time faculty member is qualified for the assignments.

8. Because of the “faculty-recruited students” provision (#5 above) and the “returning students” provision (#6 above), in some situations, faculty with less reemployment preference may have more assignments (more students) than faculty with greater reemployment preference.

9. Should there be a severe decline in available assignments (defined as fewer students enrolled in the program than is necessary to provide one assignment to each COOP faculty member with reemployment preference), after notification to FA, the “returning students” provision shall be modified, and each faculty member, in order of his or her position on the reemployment preference list, shall be offered at least one assignment, drawn from the pool of students available through program-recruitment and returning status. However, should a faculty member recruit new students, those students shall be assigned to him or her during the quarter of their initial enrollment in the program.

10. The implementation of reemployment preference described above is particular to the COOP program only and shall not be precedent-setting.

All of the other terms and conditions of the MOU dated June 30, 1999 in regards to compensation, assignment, adding/dropping students, partial assignments, the 60% rule, load monitoring, eighteen week classes, and summer assignments shall remain unchanged.

Both the District and the Faculty Association agree to monitor the effect of this change in interpretation of reemployment preference for COOP faculty and reserve the right to reopen renegotiations on any and all of the COOP issues by the end of the 1999-2000 academic year.

Dated: November 17, 1999