Know Your Contract

Summer Session Assignments
first published in FA News March 2009; updated April 2009

Much to FA’s surprise, Article 26: Summer Session, one of the shortest articles in the Agreement, is gaining ground on Article 7: Part-Time Faculty, the longest article, in accumulating the most alleged VMMs (violations, misinterpretations, or misapplications). Actually, FA is not aware of any “misinterpretations,” or even questions related to, what the language of Article 26 says. Instead the allegations relate to violations (circumventing the rules) or misapplications (not knowing the rules). The most common complaints regarding Article 26 are (1) out-of-order assignments, (2) too many assignments given to certain faculty, and (3) lack of transparency regarding the “tie-breaker” method used when assignments run out.

The rise in conciliation cases and calls to the FA office regarding Article 26 has been exacerbated by the reduction in the number of summer classes offered this year (another effect of the state and District budget deficits). Some faculty who requested a summer assignment have already been notified that nothing is available and, over the next few weeks, more will likely hear the same bad news. Both schedulers and faculty might benefit from a review of the main provisions of Article 26.

Article 26.1 mandates the order in which assignments are to be distributed: all faculty who request a summer assignment are put into one of seven categories, and within each category, all faculty are equal (note that part-time re-employment preference, “seniority”—the criteria used in regular academic quarters—is irrelevant in summer session):

- Category 1: full-time faculty who were not employed the previous summer
- Category 2: full-time faculty who were employed the previous summer
- Category 3: part-time faculty who were not employed the previous summer
- Category 4: part-time faculty who were employed the previous summer
- Category 5: faculty from other divisions in the district
- Category 6: Article 19 faculty
- Category 7: all others

As further stipulated in 26.1, all Category 1 faculty are to get a “full” assignment (if requested) before any Category 2 faculty get assignments; likewise, all Category 2 faculty get assignments before any Category 3 faculty get assignments, and so on.

Article 26.3 details what a “full” summer assignment means. It is typically more than one four or five unit class, unlike an assignment under Article 7, but not more than two such classes. A “full” summer session assignment is defined as “proportionate to the average load of a regular academic quarter…” Therefore, the average load for a regular 12-week quarter is reduced by half for the summer six-week session, rounded up to the nearest class. For example, for faculty assigned three classes in a regular quarter, a “full” summer assignment would be two classes (1.5 rounded up).

Finally, and perhaps most importantly when summer session offerings are significantly reduced, Article 26.1 stipulates that “a mutually-acceptable tie-breaking process shall be established by the Division Dean and the affected faculty members” if, within a category, more faculty have requested an assignment than are available. A tie-breaker can be as simple as filling a coin, pulling names out of a hat, or using alphabetized last names (A-to-Z one summer and Z-to-A the next). But, a tie-breaker can not be based on retention or “competency” or anything that adds to existing minimum qualifications for teaching a particular class.

Deans/schedulers are encouraged to contact the FA Conciliator with questions about summer session assignments. Faculty who don’t know what summer session Category they fall into or who are unaware of what tie-breaker method is used in their division are encouraged to ask their dean for clarification.