

Articles 7 and 9

MEMORANDUM OF UNDERSTANDING BETWEEN FOOTHILL-DE ANZA COMMUNITY COLLEGE DISTRICT AND FOOTHILL-DE ANZA FACULTY ASSOCIATION

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").

The District and FA wish to resolve the issue of De Anza Nursing Department clinical lab loads: Nursing 81L, Nursing 82L, and Nursing 84L for the reasons stated below and in the way described below.

The parties acknowledge that, currently, due to the clinical lab load factor (0.239) of these courses, part-time nursing faculty are limited to two and a half quarters of assignment with a total academic load of 60 percent. A clinical lab assignment in all three quarters would bring a part-time faculty member to 72 percent, well beyond the 67 percent allowable under Article 7 and the Ed Code.

The parties further acknowledge that part-time nursing instructors are primarily assigned to supervise the clinical performance of the students in the hospitals, working closely with full-time faculty, who act as lead instructors. Since there are no final exams in the clinical courses, part-time nursing faculty are not required to teach or provide service during the last week of the quarter.

The parties also acknowledge their agreement with rationale provided by the Nursing Department:

The proposed change will provide substantial benefits for students, the nursing program, faculty, hospitals, and De Anza College.

For students, the benefits will:

1. Provide instructor continuity in the clinical setting.
2. Afford consistency of instructor's expectations.

For the nursing program, the change will:

3. Strengthen program quality.
4. Improve work-force stability. It is extremely challenging to mentor a clinical instructor for only 6 weeks. It is quite unusual for part-time faculty who work only six weeks for De Anza College, to repeat their assignment the following year. They usually find more permanent jobs and do not come back for such a brief assignment.

In addition, with new federal regulations, some hospitals require that each faculty member to be screened by background checks, fingerprinting, and drug testing, in addition to orientation to multiple policies/procedures and use of hospital

equipment. All these requirements are so time consuming, that many instructors decline the six- week assignment.

For faculty, the change will:

5. Enhance collaboration of full-time and part-time faculty over the full academic year.
6. Foster part-time faculty members' sense of belonging and commitment to De Anza College, knowing that they have the full year assignment.

For hospitals, the change will:

7. Cultivate instructors who are very familiar with policies and procedures.
8. Facilitate consistency in instructor's clinical practice and communication with staff.
9. Result in improved client care and client safety.

For De Anza College, the change will:

10. Maximize efficient use of personnel.
11. Maximize use of financial resources by aligning compensation with duties.

Given the reasons provided in Paragraphs 2 and 3 above and the Nursing Department rationale provided directly above, the parties agree that the load factor for Nursing 81L, Nursing 82L, and Nursing 84L, when taught by part-time faculty, shall be .222.

The load factor of .222 is based on the following calculation: Currently full- and part-time faculty have a 12-week quarter for a load factor of .239. Each week, therefore, is equivalent to .0199 of that load factor, rounded to .02. Because part-time faculty employees have no responsibilities during Week 12 for a clinical lab assignment, the load factor for Nursing 81L, Nursing 82L, and Nursing 84L, when taught by a part-time faculty employee should be adjusted to an 11-week quarter with a load factor of .222 (11 weeks x .02).

The parties agree that this adjustment will both (a) ensure that part-time faculty compensation is commensurate with duties; and, (b) enable part-time faculty to teach three (rather than two- and-one-half) assignments per academic year.

The parties further agree that (a) the numbering for Nursing 81L, Nursing 82L, and Nursing 84L, when taught by part-time faculty, shall be coded in a way to clarify the appropriate load factor for salary purposes; and (b) that this load factor modification shall not affect the articulation, credentialing, and licensing requirements of these courses with the Board of Registered Nurses.

August 4, 2010