

**Article 26**  
**SUMMER SESSION and ACADEMIC RECESS**

**Scheduling Priority**

- 26.1 Except as provided in Section 26.4, summer session faculty shall be selected in a division in the following order of priority:
  - 26.1.1 Contract or regular faculty employees who were not employed under this article during the preceding summer session or whose effective date of hire was subsequent to the preceding summer session;
  - 26.1.2 Contract or regular faculty employees who were employed under this article during the preceding summer session;
  - 26.1.3 Part-time temporary faculty employees with reemployment preference who were not employed under this article during the preceding summer session;
  - 26.1.4 Part-time temporary faculty employees with reemployment preference who were employed under this article during the preceding summer session;
  - 26.1.5 Part-time temporary faculty employees without reemployment preference who were employed during the previous academic year and who were not employed under this article during the preceding summer session;
  - 26.1.6 Part-time temporary faculty employees without reemployment preference who were employed during the previous academic year and who were employed under this article during the preceding summer session;
  - 26.1.7 Faculty employees from other divisions in the District;
  - 26.1.8 Article 19 faculty;
  - 26.1.9 All others.

To the extent that assignments are available, faculty selected in the order of priority above shall be offered a full summer session assignment as defined in 26.3 before an assignment shall be offered to those summer session faculty in the next priority category. In the event of a tie between those in the same priority category, a mutually acceptable tie-breaking process shall be established by the Division Dean and the affected faculty members, except that seniority on the reemployment preference list shall be used as the tie breaker to offer a full summer session assignment for faculty within priority groups 26.1.3 and 26.1.4. Employment under this article in any division in the District constitutes an assignment for purposes of determining a faculty employee's priority in the subsequent summer session.

- 26.2 At the time of scheduling for summer session, a regular or contract faculty employee who is in active status but who will become a retired faculty employee at

the end of the current academic year shall be selected according to the provisions of 26.1.1 and 26.1.2 for the first summer session following the date of such retirement.

Faculty are advised that due to STRS/PERS statutes effective January 1, 2013 affecting retiree earnings during the first 180 days following retirement, retirees are prohibited from returning to STRS/PERS covered employment with the District for 180 days following the effective date of retirement. Thereafter, the STRS/PERS retiree may return to work under the applicable earnings limitations.

- 26.3 For non-instructional counseling or librarian assignments during winter or spring academic recess, faculty shall be selected for assignment(s) using the priorities enumerated in Article 26.1, with the phrase “preceding summer session” replaced by “preceding winter recess” or “preceding spring recess.”

### **Board Prerogative**

- 26.4 Notwithstanding Section 26.1, the Board may select up to fifteen (15) individuals district-wide with special characteristics or qualifications as summer session faculty without regard to the priorities contained within Section 26.1. The Board may select employees pursuant to this section when it determines that, by doing so, it will be able to diversify and enhance the summer session program.

26.4.1 During the second week of summer session, the Board shall report to FA a list of all faculty (name, department, and campus) who have been granted an assignment under Article 26.4. The report shall also include a description of the special characteristics or qualifications of these faculty and a justification of the need for use of the Board prerogative.

### **Definition of “Full” Summer Assignment**

- 26.5 Based upon available course offerings, summer session faculty selected in the order of priority above shall be offered courses up to the equivalent of a full-time summer session assignment before an assignment shall be offered to those summer session faculty in the next priority category. A full summer session assignment will differ within and among divisions. A full summer session assignment is proportionate to the average load for a regular academic quarter, with the summer load reduced according to the number of weeks of the summer session. For example, an average load for a quarter will be reduced by half for a six-week session, and then rounded up to the nearest whole class. Prior to the preparation of the summer schedule by the Division Dean, a faculty member may request either a full or partial summer assignment. Normally, a faculty employee shall have no more than one full summer session assignment, regardless of the number of divisions in which they are employed under this article.

### **Issuance and Acceptance of Assignments**

- 26.6 A summer session assignment is officially offered to a faculty employee only upon the sending via the District Portal (<https://myportal.fhda.edu>) of an “Assignment Contract” (Appendix S1). The Assignment Contract shall be available on the District Portal at least 28 calendar days before the beginning of the summer session.

- 26.6.1 The District shall send a “Notification of Assignment” email to the faculty employee at their District email address when the Assignment Contract is posted on the District Portal.
  - 26.6.2 The faculty employee shall indicate acceptance of the Assignment Contract via the District Portal within ten (10) calendar days of the date on which the Notification of Assignment email was sent. If the Assignment Contract is not expressly accepted via the District Portal within these timelines, it shall be deemed to be declined.
- 26.7 Notwithstanding Section 26.6 above, the following timelines shall apply under the specified circumstances:
- 26.7.1 If an assignment begins later than the first week of summer session, the faculty employee shall indicate acceptance of the Assignment Contract via the District Portal within ten (10) calendar days of the date on which the Notification of Assignment email was sent or seven (7) calendar days after the start date of the assignment, whichever is earlier. If the Assignment Contract is not expressly accepted via the District Portal within these timelines, it shall be deemed to be declined.
  - 26.7.2 If the Assignment Contract cannot be issued at least 15 calendar days before the beginning of the quarter or (in the case of an assignment that begins later than the first week of the quarter) 15 days before the date on which the assignment is to begin, the offer of assignment may be made orally or by email. If the faculty member agrees to the assignment (that was offered orally or by email), the District shall confirm the offer by posting the Assignment Contract to the District Portal and sending the faculty employee a Notification of Assignment email. The faculty member shall indicate acceptance of the Assignment Contract via the District Portal within ten (10) calendar days of the date on which the Notification of Assignment email was sent or seven (7) calendar days after the start date of the assignment, whichever is earlier. If the Assignment Contract is not expressly accepted via the District Portal within these timelines, it shall be deemed to be declined.
- 26.8 If a faculty employee has an emergency related to their home or immediate family, is ill, or if there are other extenuating circumstances which make it impossible to comply with the procedure and timelines specified in Sections 26.6 and 26.7, the faculty employee shall telephone or email the Division Dean to indicate whether they will accept the assignment and to request a reasonable extension of the time within which to comply. If the Assignment Contract is not then expressly accepted via the District Portal within the approved extended timeline, it shall be deemed to be declined.
- 26.9 If circumstances prevent the issuance of an Assignment Contract via the District Portal as described in Sections 26.6 and 26.7, Assignment Contracts shall be sent via US mail or campus mail at least 28 days before the beginning of the summer session. In such an event, the faculty member shall indicate acceptance of the assignment by signing and returning the Assignment Contract to the Campus Payroll Office within fourteen (14) calendar days of the date on which the

Notification of Assignment email was sent or seven (7) calendar days after the start date of the assignment, whichever is earlier. If the signed Assignment Contract is not received by the Campus Payroll Office within these timelines, it shall be deemed to be declined.

- 26.10 If an Assignment Contract is cancelled or withdrawn, the Division Dean, or their designee, shall send a notice of the action to the faculty member at their District email address.

### **Compensation**

- 26.11 Each faculty employee employed as an instructor during a summer session shall be compensated on the basis of 77.5 percent of the regular faculty salary schedule utilizing appropriate course load factors. A course load factor specifies the percent of a full-time load that a particular course represents, and “regular faculty salary schedule” means all columns, 1 through 5, and all steps, 1 through 26 and all Professional Recognition Awards earned before the PRA was eliminated in 1986.

26.11.1 Faculty employees teaching concurrent sections shall be compensated on the salary schedule specified above and in accordance with the thresholds and large class stipends (LCS) described in Appendix V – Concurrent Sections.

- 26.12 Each contract or regular librarian who, by mutual agreement of the employee and the Board, performs service during the summer beyond their 10-month, 11-month or 12-month contract shall receive 25 percent of monthly pay for each week of additional service required based upon the salary schedule in effect on July 1 of the year during which the service is performed.

### **Leaves**

- 26.13 Each faculty employee employed during the summer session shall be entitled to one day of paid leave of absence for illness or injury and one day of personal leave. Such leaves shall be subject to the terms and conditions set forth in Article 16 (Leaves) except that summer sick leave shall not accumulate from year to year.

### **Re-opener**

- 26.14 Either the Board or FA may reopen negotiations on this article at any time by delivering a written request to reopen to the other party.