

## Policies for the Hiring and Evaluation of Temporary Full-time Faculty

~~SMCCCD Academic Senate — approved 12/14/21~~

The temporary full-time faculty classification is to be implemented ~~exclusively~~ as dictated by California Education Code 87470, 87475, 87480, 87481, and 87482. ~~In accordance with California Education Code, temporary full-time faculty positions are able to be utilized to respond to illness, leave, and meeting temporary increased enrollment for a period of no longer than two semesters within any period of three consecutive years. If at the end of the two semesters, a determination is made that the position is needed for the following year, it must be offered as a part-time or tenure-track position. If a determination is made that the position is not needed for the following year, the full-time temporary position is eliminated altogether or filled by part-time positions.~~

### I. Temporary Full-time Faculty

1. Per Education Code 87482 (a)(1), “the governing board of a community college district may employ any qualified individual as a temporary faculty member for a complete school year, but not less than a complete semester or quarter during a school year. The employment of those persons shall be based upon the need for additional faculty during a particular semester or quarter because of the higher enrollment of students during that semester or quarter as compared to the other semester or quarter in the academic year, or because a faculty member has been granted leave for a semester, quarter, or year, or is experiencing long-term illness, and shall be limited, in number of persons so employed, to that need, as determined by the governing board of the community college district.”

2. Per Education Code 87482 (c)(2), “A person, other than a person serving as clinical nursing faculty and exempted from this subdivision pursuant to paragraph (1) of subdivision (c), shall not be employed by any one district under this section for more than two semesters or three quarters within any period of three consecutive years.”

3. The hiring procedures for Temporary Full-time Faculty positions shall follow the hiring guidelines for ~~tenure-track positions~~ **Faculty Hiring** as outlined in Administrative Procedure 3.15.3.

### 4. Evaluation

a. Temporary full-time faculty shall be evaluated in their first semester according to the tenure-track faculty evaluation procedures (AFT Contract Appendix G).

b. To the extent required by Education Code 87481, “Any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a vacant faculty position, be classified by the governing board as a contract employee and the previous year’s employment as a temporary employee shall be deemed a year of employment as a contract employee for the purposes of acquiring permanent status.”

c. Per Education Code 87475, “If an employee of a community college district has served as a contract employee of the district in a faculty position, for one complete school year, and in the year immediately preceding the service as contract employee has served as a temporary faculty member for at least 75 percent of the number of days the regular schools of the district were maintained, the governing board of the district may count the year of employment as a temporary employee as one year of the probationary period which he or she is required by law to serve as a condition to being classified as a regular employee of the district.”

d. Per Education Code 87481, “any person employed for one complete school year as a temporary employee shall, if reemployed for the following school year in a vacant faculty position, be classified by the governing board as a contract employee and the previous year’s employment as a temporary employee shall be deemed a year of employment as a contract employee for purposes of acquiring permanent status.”

e. If hired permanently into the same position, temporary full-time faculty shall be awarded one year of service on the tenure-track and start as a Contract II employee, per Education Codes 87481 and 87475, as long as they were evaluated in their first year of employment according to Appendix G of the faculty contract and did not receive an “Unsatisfactory” evaluation.

f. Per Ed Codes 87481 and 87475, if there is a break in service between the temporary and permanent positions, the faculty member shall not be awarded any years of service on the tenure-track and shall start as a Contract I employee.

g. If a member of the faculty serves in a temporary full-time faculty position and is hired in the same faculty service area at a different college in the District in the following academic year, that individual will be granted one year of service on the tenure-track and will start as a Contract II employee, as long as they were evaluated in their first year of employment according to Appendix G of the faculty contract and did not receive an “Unsatisfactory” evaluation.

h. If at the end of the full-time temporary position, the employee is not hired into the permanent position or the position is eliminated, the employee will be placed into the adjunct faculty pool at their home college for that faculty service area and will be evaluated according to the adjunct evaluation procedures in their first semester.

i. Continuation of the position: If the position is determined to be necessary, the position must be offered as a permanent tenure-track position or converted to a part-time position. If the position is not selected for a permanent position, the position must be eliminated or converted to a part-time position. If the college intends to make the position a permanent tenure-track position, it should be approved through the college’s local resource request and faculty prioritization processes.

## II. Emergency Full-time Temporary Faculty

1. The hiring process for external candidates in an emergency situation shall follow the procedures for emergency hiring in Administrative Procedure 3.15.3.
2. Per Education Code 87480, "In any district, the governing board may, to prevent the stoppage of district business when an actual emergency arises and persons are not immediately available for contract classification, make an appointment to a position on a temporary basis for a period not to exceed 20 working days. The person so appointed shall be deemed a temporary employee who is employed to serve from day to day. Service by a person in such an appointment on a temporary basis shall not be included in computing the service required as a prerequisite to attainment of, or eligibility to, classification as a regular employee of a community college district."
3. Per Education Code 87480, Temporary Full-time Faculty serving less than one semester will not be evaluated. In this instance, at the conclusion of service, temporary faculty will return to the adjunct pool, and external hires will be evaluated in their first semester as an adjunct member of the faculty per Appendix G of the AFT contract.

## III. Grant and Categorically Funded Full-time Temporary Faculty

1. Per Education Code 87470:
  - a. The governing board of a community college district may employ academic employees, including educational administrators, in programs and projects to perform services conducted under contract with public or private agencies, or other categorically funded projects of indeterminate duration under terms and conditions mutually agreed upon by the employee and the governing board. The agreement shall be reduced to writing.
  - b. Service pursuant to this section shall not be included in computing the service required as a prerequisite to attainment of, or eligibility to, classification as a regular employee of a community college district unless both of the following occur:
    - I. The person has served as a faculty member pursuant to this section for at least 75 percent of the number of days in regular schools of the district by which he or she is employed are maintained.
    - II. The person is subsequently employed as a contract employee in a faculty position.
  - c. Persons may be employed for periods that are less than a full college year, and may be terminated at the expiration of the contract or specially funded project without regard to other requirements of this code respecting the termination of contract or regular employees.
    - I. This section shall not be construed to apply to any faculty member who has been employed in the regular educational programs of the district as a contract

employee before being subsequently assigned to any one of these programs, nor shall it apply to those employees employed in programs operated pursuant to, or funded pursuant to, Article 8 (commencing with Section 69640) of Chapter 2 of Part 42, or Section 84850.

II. Notwithstanding any other provision of law, upon termination or expiration of employment under this section, a person employed as an educational administrator shall not be entitled to the rights set forth in Section 87458 unless those rights are provided pursuant to his or her contract of employment.

IV. These policies shall take effect after Board approval and shall not retroactively apply to temporary full-time faculty hired prior to Board approval.