

The purpose of this provision is to grant, on an annual basis, some degree of employment stability for eligible part-time faculty members within the limitations imposed by the District's needs to create course schedules that match current student demand and provide appropriate assignments for full-time faculty members.

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:
SECTION 1. Section 87482.5 of the Education Code is amended to read:

87482.5. (a) Notwithstanding any other law, a person who is employed to teach adult or community college classes for not more than 67 percent of the hours per week considered a full-time assignment for regular employees having comparable duties shall be classified as a temporary employee, and shall not become a contract employee under Section 87604. If the provisions of this section are in conflict with the terms of a collective bargaining agreement in effect on or before January 1, 2009, the provisions of this section shall govern the employees subject to that agreement upon the expiration of the agreement.

(b) Service as a substitute on a day-to-day basis by persons employed under this section shall not be used for purposes of calculating eligibility for contract or regular status.

(c) (1) Service in professional ancillary activities by persons employed under this section, including, but not necessarily limited to, governance, staff development, grant writing, and advising student organizations, shall not be used for purposes of calculating eligibility for contract or regular status unless otherwise provided for in a collective bargaining agreement applicable to a person employed under this section.

(d) After 4 consecutive semesters, or 6 consecutive quarters of employment with a District, a temporary employee with an assignment of at least one course per week within a discipline for each of the those academic terms, a part-time faculty member with satisfactory performance shall be placed on a list of temporary employees with priority reemployment rights. After such placement, a part-time faculty member shall be re-employed for the following year, with the total number of assigned teaching or non-teaching hours for the following academic year no less than the total number of assigned teaching or non-teaching hours in the previous academic year ("Base Assignment") as long as the need for the assignments for which the associate faculty member is qualified continues.

Those with such priority reemployment rights shall have the first right of refusal to teach up to the maximum load available and allowed by law in their department or discipline before others with less seniority are offered classes. Before any new part-time faculty instructors are hired within a particular department or discipline, those with such priority reemployment rights shall have the first right of refusal to augment their loads up to the maximum load available and allowed by law in their department or discipline before others with less seniority are offered classes.

Rules as to effects of breaks in service, reductions or augmentations in assignments, determination of instructional need, determination of qualifications to teach a specific course, termination of rights for unsatisfactory performance or misconduct, and any other policies and procedures within the scope of these priority assignment rights are subject to local collective bargaining.

Such reassignment rights shall not be construed as "reasonable assurance" of reemployment for purposes of unemployment compensation eligibility between academic terms.

(2) This subdivision may not be construed to affect the requirements of subdivision (d) of Section 84362.

Job security bill draft 9/15/08, as revised 4/19/09; The bill draft is the bold italic addition to existing 87482.5;