

**MEMORANDUM OF UNDERSTANDING
BETWEEN
CHABOT-LAS POSITAS COMMUNITY COLLEGE DISTRICT
AND
CHABOT-LAS POSITAS FACULTY ASSOCIATION**

April 30, 2018

10I. Noncredit Instruction

All noncredit instructors shall be afforded the working conditions and unit member rights as are granted to credit instructors in this collective bargaining agreement. All rights and responsibilities of instructors in this agreement shall be accorded to noncredit instructors. Noncredit instructors shall be hired, assigned, and evaluated pursuant to the guidelines described in this agreement.

Instruction that generates noncredit FTES apportionment shall be taught or supervised by unit members.

10 I.1 Assignments

- a. The *2017-2018 Minimum Qualifications Handbook for Faculty and Administrators in the California Community Colleges* adopted by the California Community Colleges Board of Governors, and subsequent editions adopted, shall be used to determine the minimum qualifications and FSAs for noncredit disciplines.
- b. Each college will maintain a list of noncredit disciplines under which noncredit courses will be offered.
- c. Noncredit teaching assignments will be made in the same manner as described for credit courses.
- d. Beginning in Fall Semester, 2018, the full time faculty application for addition of secondary FSAs will include noncredit disciplines.
- e. Each noncredit discipline will have a seniority list separate from any seniority list or status in credit instruction.

10I.2 Class Size

Class size and class cancellations for noncredit classes shall be determined in the same way that credit class size and cancellations are determined under this agreement.

10I.3 Reporting Student Attendance

Each noncredit instructor will be responsible for recording, maintaining, and submitting student attendance records as required by the state for Positive Attendance Accounting for FTES

apportionment. The specific requirements and processes will be determined by the District in collaboration with the Faculty Association.

10 I.4 Faculty Hour G Noncredit shall be calculated as stated below.

Faculty Hour G.1 at 0.75 of a Calculated A Hour (CAH) is a noncredit instructional hour in which faculty are responsible for facilitating learning in a whole group, small group, laboratory, or individualized environment. Instructors in this category will be expected to do some grading and preparation, as well as to set the activities and structure for all classroom learning experiences. In many instances, students will be expected to do additional preparation or work outside of the classroom. In some instances the instruction is part of a defined sequence which prepares students for employment or to be successful in college-level credit coursework.

Faculty Hour G.2 at 1.0 of a Calculated A Hour (CAH) is an hour of instruction in a noncredit course that is part of a defined sequence which prepares students for employment or to be successful in college-level credit coursework. Instructors in this category will provide a similar time commitment and level of preparation and grading as is expected in credit A Hour courses.

Specific guidelines on how disciplines may establish eligibility of their courses for Faculty Hour G.2 will be attached in an appendix: "Establishing Eligibility for Faculty Hour G.2." As part of the eligibility for Faculty Hour G.2, classes will be state-approved Career Development and College Preparation (CDCP) courses and must achieve a class size of at least 25 students at the start of the second day of instruction, unless otherwise approved by the immediate supervisor. These courses will all fall under managed enrollment with published start and end times. All of these courses will be graded (Pass, No Pass, and Satisfactory Progress or letter grade).

A single noncredit course can be made up of a combination of G.1 and G.2 hours as determined by the Course Outline of Record. Such combination shall be determined either in the curriculum process, or shall otherwise follow a procedure comparable to how lecture and laboratory hours are established in the curriculum process.

10 I.5 Tutorials

Faculty Hour H.1 at 0.56 of a Calculated A Hour (CAH) [NOTE: This will replace our current B.NC (IOD.1.b.5)] is a tutorial hour of an instructor supervised time-on-task that may include group instruction or one-on-one interaction between instructor and student. This instruction may take place in a lab, classroom or other technology supported learning environment, or in clinical and similar settings. Faculty Hour H. 1 does not count toward full-time or part-time load, and does not count toward the 67% load limitation for adjunct instructors.

10 I.6 Productivity and FTES Targets

The annual process for setting productivity and FTES targets will specify targets for noncredit instruction separate from credit instruction.

10 I.7 Change in Regulations from the State

In the event that there is a change in the regulations for noncredit instruction brought about by the state, including changes in the FTES apportionment rates, the Faculty Association and the District agree to meet and negotiate the impact effects of any relevant changes.

Additional Contract Modifications

In addition to the language added above, for Article 10, appropriate modifications shall be made in Articles 10, 18, 20 and 21 to reflect the following.

- a) A Schedule of Noncredit Service Rates shall be used to compensate faculty for noncredit instruction on a part-time and overload basis. It shall be based on Column II, Steps 1-10, and utilize the same pro-rata factor (currently 72%) defined in 21G.1 for credit instruction. For 2017-18, rates are computed as follows:
$$\text{CAH Rate} = (72\% \text{ of Annual Salary}) \div 30$$
$$\text{Hourly Rate} = (\text{Load Factor}) \times (72\% \text{ of Annual Salary}) \div 525$$
 - b) Initial Step placement on the Schedule of Noncredit Service Rates shall be those defined in Articles 21H and 21I. It is understood that for unit members qualified for credit instruction, their Step placement on the Schedule of Noncredit Service Rates shall be at the same Step as their placement on the Schedule of Part-time Service rates for credit instruction.
 - c) Step Advancement and load limitations. Equivalent load values, expressed in terms of CAH, shall be established for Faculty Hours G.1 and G.2, for the purposes of accounting for the impact of noncredit instruction in: (a) full-time overload limitations defined in Article 10D.11; (b) observance of the 67% Law, and Limit of Assignments for Part-time faculty, defined in Article 18J.1; (c) qualification for Medical Benefits for Part-time Unit Members in accordance with Article 20A.6; (d) Step Advancement for all Part-time and Overload work, in accordance with Article 21I; and (e) allowing for auto-pay for noncredit classes, on a per-CAH basis. For such purposes, noncredit hours shall not be viewed differently and shall carry equivalent load values as follows:
 - (1) For Faculty Hour G.1 (Load Factor 0.75): 1 CAH = 23.33 Hours;
 - (2) For Faculty Hour G.2 (Load Factor 1.0): 1 CAH = 17.5 Hours.
- For faculty who perform both credit and noncredit instruction, noncredit CAH shall be combined with other CAH for the purpose of determining Load Limits, Step Advancement, and Qualification for Medical Benefits for Part-time faculty. It is understood that H Hours (tutorials) are exempt from this provision, and shall not count towards the purposes defined herein.
- d) It is preferred that if Full-time faculty members perform noncredit assignments, they do so on an overload basis. Notwithstanding, Full-time faculty may be assigned to teach up to three (3) CAH worth of noncredit, to meet their load obligation for the semester, with the approval of the affected appropriate Administrator(s).

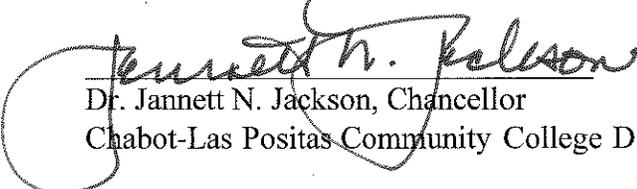
If, over the course of any Academic Year (consisting of the Fall and Spring Semesters), a Full-time faculty member applies one or more noncredit assignments to meet their load obligation, the following restrictions shall be observed:

- (1) The Full-time faculty member will not end the Academic Year with an unbanked carryover in excess of 1.5 CAH;
 - (2) The Full-time faculty member will not teach any Credit class, or perform any D, E or F-Hour assignment on an overload basis, over the Fall and Spring Semesters of that Academic Year; and
 - (3) The Full-time faculty member will not apply any assignment (of any type) performed over the Fall and Spring Semesters of that Academic Year towards Load Banking.
- e) Mirrored Classes. In the case that a college offers a “mirrored class,” where both non-credit and credit students are present, the class shall be staffed by an instructor who is qualified to teach credit classes in that discipline. As such, the faculty member shall be compensated (or given load credit) in accordance with the provisions established for credit instruction.

Signed and entered this 4TH day of May, 2018, with section 10I.1 to begin in Fall Semester 2018, and the remainder of this MOU to take effect beginning in Spring Semester, 2019.



Dr. Charlotte E. Lofft, President
Chabot-Las Positas Faculty Association



Dr. Jannett N. Jackson, Chancellor
Chabot-Las Positas Community College District