

## District Proposal – Article 18

June 13, 2023

18.A. Subject to Article 20.A, and this Article, current written policy, practices, rules and regulations in effect for unit members in regard to Load and Class Size shall remain in force unless mutually agreed otherwise between the parties.

### 18.B. Minimum Class Size

For both credit and noncredit courses, the minimum class size shall be ~~15~~20; provided, however, that the District may provide for exceptions to this requirement for:

1. 3rd or 4th semester courses in transfer or vocational sequences;
2. Classes with approved capacities below 20 students;
3. Classes where considerations of safety require a lower minimum;
4. Courses for which enrolled students have no alternative enrollment option;
5. Courses for which smaller class size is deemed a valid educational requirement, for example, basic skills and classes for the disabled.
6. Work experience courses shall not be subject to class size minimums.

The parties have an interest in exploring the relationship between average class sizes, faculty load, and the ratio of FTES/FTEF. Therefore, the parties agree to meet promptly following ratification of this Agreement to explore average class size goals and standardization of class capacities.

### 18.C. Class Cancellation

1. The District may in its sole discretion, at the beginning of any semester, wait until the end of the add/drop period; until after two (2) meetings of an evening class (whichever is later) in the credit program; or wait until the end of two (2) weeks in the noncredit program prior to canceling a class due to low enrollment where exceptional circumstances at the normal time of cancellation (first week) create a reasonable likelihood of maintaining the class due to an increase in enrollment. Any such decision shall be on an individual case by case appraisal by management. Any such decision(s) are non-precedent setting and are non-grievable.
2. Upon advance approval of the Dean/Director, a prior arrangement between the District and a faculty member may be undertaken not to cancel a probable low-enrollment specialized course, or advanced classes in sequence, required within a degree program.
3. ~~The District will wait until one week before the first class meeting prior to canceling a credit class with enrollment less than ten (10).~~
4. ~~The District will wait until one week after the first class meeting prior to canceling a credit class that maintains an enrollment of 10 or above.~~
5. ~~For noncredit classes, the District will wait until the end of four (4) weeks in the noncredit program prior to canceling a class due to low enrollment under article 18.C.1.~~
6. ~~Returning students with incompletes shall be considered “enrolled” students for the~~

purposes of this provision:

- ~~7. If a section is below the class size minimum, but would have over the class size minimum if suspected "ghost" students had not been dropped, it will not be canceled for low enrollment.~~
- ~~8. Nothing in this agreement precludes the ability for the District to combine sections with enrollments under the class size minimums when the combined enrollment is within normal class capacity.~~
- ~~9. Workload reductions achieved due to low enrollment cancellations will be used to open additional classes or sections.~~

#### 18.D. Load Factors: Type of Assignment

Type of Assignment	Hours per Week	Load Factor
Credit Lecture Instruction	15	1
Labs previously designated as "Conference" (See Exhibit S)	15	1
<u>Clinical Labs (See Exhibit S)</u>	<u>15</u>	<u>1</u>
Credit Laboratory – A (previously "science-related")*	17.65	0.85
Credit Laboratory - B	20	0.75
Credit Composition Instruction	12	1.25
Non-Credit/Adult Education Instruction	25	0.6
Non-Credit Composition Instruction (ESL A 3180)	20	0.75
Counseling & Library Assignments	30	0.5
Instructionally Related Activity	35	0.43

<p>Work Experience            Effective Spring 2017, work experience load is not calculated by hours, but rather by the number of students at census date.</p>	<p>Workload = Number of Students at Census ÷ 8.33</p>
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Note: Credit Lecture Laboratory – A applies to:

- Architecture/Engineering (ARCH, BIM, BTEC, CAD, CM, ELEC, ENGN, ENRG, ENVS, ET, INTD, WELD),
- Astronomy (ASTR),
- Biology (ANAT, BIO, BOT, GEN, MB, PHYS, ZOO),
- Chemistry (CHEM),
- Computer Networking & Information Technology (CNIT),

- Computer Science (CS),
- Earth Sciences (GEOG, GEOL, GIS, OCAN, P\_SCPALE),
- ~~Engineering (BTEC, CAD, ELEC, EMSA, ENGN, ENRG, ENVS, ET, GIS, SUST, WELD),~~
- Interdisciplinary Studies/IDST (DSGN),
- Physics (PHYC, P-SC), and
- Clinical labs in Nursing and Allied Health departments. A clinical lab is one in which students work directly with patients under the direct supervision of faculty. For a full list of applicable courses, see Exhibit S.

### 18.E. Load Factors: Credit Course-Class Size

1. The District shall determine load factor based on ~~projected census day enrollment on the first census day of the class semester. To qualify for load factor, enrollment must be confirmed by census week enrollment.~~
  - 1.1. ~~Credit classes will qualify for the additional load factor based on enrollment on census day.~~
  - 1.2. ~~Non-credit classes will qualify for additional load factor based on attendance on census day.~~
2. Credit ~~and noncredit~~ classes with ~~projected~~ enrollment ~~or attendance~~ of 60-100 shall qualify for a 1.5 load factor, and ~~credit~~ classes with ~~projected~~ enrollment ~~or attendance~~ exceeding 100 shall qualify for the 2.0 load factor.
3. For departments that currently utilize the 1.5 load factor, the minimum enrollment ~~or attendance~~ necessary for such factor shall be 60; however, the District may provide for exceptions to this requirement. Specific exceptions to this requirement shall include: In the event that the sum of the two overages above 50 but under 60 equals or exceeds 10, the 1.5 load factor shall be granted for one such section only.
4. ~~Existing class size limits for conventional courses shall apply to their online and distance versions. Distance education sections of a course shall have a class capacity equivalent to the standard capacity of the in-person version of the course. In-person sections with artificially lowered class capacities based on room restrictions or other factors shall not impact the class capacities of corresponding distance education sections.~~
5. In the credit program, District agrees to use the .8 small class multiplier only when there is mutual agreement between management and the unit member.

~~18.F. Beginning fall semester 2006, ESL Composition Classes 140, 150 and 160 shall have a class cap of 28.~~

### 18.FG. Professional Responsibilities for Full-Time Faculty

*No change*

## 18.GH. Professional Ancillary Activities

18.GH.1, 2 *No change*

18.GH.3. There will be a joint committee for evaluation of other possible assignments that may be designated as ancillary. The committee will consist of at least four members and will contain equal numbers of Union and Management representatives. Department Chairs and/or administrators may submit a written request to the committee to designate an assignment as ancillary. The committee shall promptly evaluate any requests submitted and may request that the requesting Department Chair and/or administrator appear before the committee to provide additional information. Additionally, the committee may draw on other resources in evaluating the request. The committee will strive to make joint recommendations, but may also make independent recommendations to the appropriate Vice Chancellor; in either case, justifications will be included with the recommendations. The Vice Chancellor shall promptly review any recommendations submitted and determine whether an activity can be designated as ancillary. The Vice Chancellor will then notify the Chancellor's designee and the Union of his/her/their decision in writing. In the event that the Chancellor's designee and/or the Union disagree with the decision of the Vice Chancellor, the decision shall be subject to negotiations.

18.GH.4, 5, 6 *No change*

18.HI. *No change*

## 18.II. Full-Time Faculty Load Balances Schedule Deviations

1. Full-time faculty are expected to perform services equivalent to fifteen (15) workload units each fall and spring semester. The District maintains records of full-time faculty assignments, faculty leaves, and cumulative load deviations. The District shall provide to each full-time faculty member a summary of their assignments and cumulative load balance at the end of each semester. Faculty shall have one year after the receipt of this report to raise questions about District records. The District will work with the faculty member, their supervising department chair, and their supervising dean to resolve questions within three months of them being raised.
2. Faculty that end a semester with a negative load balance will be assigned sufficient extra assignments without pay until the negative balance is resolved. Negative load balances will be resolved within three (3) semesters. No faculty shall be assigned more than three (3) workload units of extra assignments in a semester without the faculty member's consent.
3. Faculty given assignments that would result in a positive load balance at the end of the semester may elect to receive extra pay, or they may take a reduced load in a subsequent semester. Any cumulative load balances above three (3) workload units shall

be reduced to below three (3) workload units within three (3) semesters, either through reduced loads or through extra pay.

4. Full-time faculty members who are granted a high enrollment multiplier for classes exceeding an enrollment of 60 students may elect to have the additional teaching units credited as regular load or may elect to receive extra pay, so long as the additional workload would result in a positive load balance at the end of the semester.
5. Summer assignments will be processed as extra pay assignments so long as the faculty member does not have a negative load balance at the end of the preceding spring semester. Faculty with negative load balances at the end of the spring semester may receive extra pay for summer assignments so long as they have fall assignments that resolve the negative balance.
6. Assignments identified as extra pay assignments will not be subject to restitution pay.
7. Categorical employees, short-term temporary, long-term temporary, and long-term substitutes receive compensation each semester based on that semester's assignments, and they will not accumulate a load balance. Any assignments above fifteen (15) workload units shall be processed that semester as an extra pay assignment.

- ~~1. Any cumulative deviation which exceeds three (3) units from the contractual workload of a full-time faculty member shall be adjusted within the following three (3) semesters wherever possible and not inconsistent with this contract. No employee shall be assigned more than three (3) units or its equivalent of extra-load courses in one semester without the employee's consent. A faculty member who owes units (or hours) will be assigned sufficient extra load courses without pay until deficiencies are balanced, or, at the option of the faculty member, he/she shall have his/her salary reduced proportionately to balance part or all of the existing deficit. A faculty member may elect to forgo pay for teaching a summer session course to reduce a load balance.~~
- ~~2. In cases where it is necessary to teach more units than those owed or required to balance the deficit, the faculty member shall have the option of being paid for such additional hours over the deficit, or taking a reduced load within the following three (3) semesters.~~
- ~~3. Full-time faculty members who are granted a high enrollment multiplier for classes exceeding an enrollment of 60 students may elect to have the additional teaching units credited as regular load or may elect to receive extra pay.~~
- ~~4. This sub-article 18.J shall not apply to categorical employees.~~

18.~~J~~K. *No change*