

LRCCD / LRCFT

Memorandum of Understanding

Davies Hall Closure - Adjustments to Performance Review and In-Person Office Hours at American River College

Background

The abrupt closure of Davies Hall on September 8, 2023 resulted in significant difficulties and workload increase for faculty at American River College. Over 90 faculty members were displaced from their offices and workspaces and approximately 240 classes had to be immediately moved online or to alternative campus locations, all with short notice and in the early weeks of a very busy Fall semester. The situation caused significant stress and anxiety for many affected faculty, as well as additional work as they attempted to adjust to the unexpected dislocation while continuing to teach their classes in a new mode of instruction.

Recognizing the difficulties caused by the Davies Hall closure, LRCCD and LRCFT share an interest in making some minor adjustments to contractual requirements, allowing impacted faculty to postpone performance reviews scheduled for Fall 2023 and also waiving the in-person office hour requirements for faculty who no longer have an office on campus.

Agreements

Performance Review

1. LRCFT and the District agree that eligible faculty scheduled for performance review in Fall 2023 may elect to postpone their performance review process until Spring 2024.
2. Eligible faculty members are those faculty members at American River College who
 - a. are scheduled for performance review in Fall 2023.
 - b. have lost office space, have been required to change location and/or modality of classes, or have had their working conditions materially and adversely affected, due to the closure of Davies Hall, and
 - c. are faculty whose performance review can be postponed without violating the California Education Code.
3. Deans on performance review teams shall send an email to all faculty members under review at American River College by 5.00 p.m. on Thursday, October 5, 2023, attaching this MOU and requesting a response from eligible faculty who wish to postpone their performance review.
4. Eligible faculty who wish to postpone their performance review until Spring 2024 must respond to the Dean indicating this in writing by 5.00 p.m. on Friday, October 13, 2023.

5. The Instruction Office will create a comprehensive list of postponed Performance Reviews and provide it to the Federation.

Eligible Faculty under Education Code

The following groups of faculty may be eligible, if they meet the other criteria, to postpone their performance review under the provisions of this MOU:

1. Tenured faculty.
2. Adjunct faculty who are NOT in their first semester of employment at Los Rios.
3. Long-Term Temporary (LTT) faculty who have a one-year appointment for Fall 2023 and Spring 2024.

NOTE: In cases where faculty in the above categories are subject to recent disciplinary measures, Deans may request that the performance review be conducted in Fall 2023 rather than being postponed until Spring 2024. In such cases, the District and the Federation will meet to consider the request and make a final determination about whether or not the evaluation may be postponed.

Non-Eligible Faculty under Education Code

The following groups of faculty are **required** to undergo performance review in Fall, and are not eligible to postpone their evaluation:

1. **Tenure-track (contract) faculty members.** The provisions of Ed. Code §87734 and §87740 include timelines and other conditions that require tenure-track faculty to be evaluated in the Fall semester, and that make postponement until Spring difficult or impossible.
2. **Long-Term Temporary (LTT) faculty on one-semester appointments.** Ed. Code §87663(a) requires that temporary employees be evaluated “within the first year of employment.” For an LTT on a one-semester appointment, this means that the evaluation must occur during that semester. This is true even if the LTT has previously been employed by LRCCD as adjunct faculty, because an LTT appointment is considered a new position.
3. **Long-Term Temporary (LTT) faculty on one-year appointments,** if that appointment began in Spring 2023 and ends in Fall 2023, and if a performance review was not completed in Spring.
4. **New adjunct faculty,** i.e. adjunct faculty who are employed by Los Rios for the first time in Fall 2023. Adjunct faculty are defined as temporary employees, and Ed. Code §87663(a) requires that temporary employees be evaluated “within the first year of employment.” Because new adjunct faculty do not have a guarantee of employment in Spring, evaluation must occur in the first semester of employment in order to ensure compliance with Ed. Code.
5. **Faculty scheduled to undergo an Out-of-Cycle review or Special Review in Fall 2023.**


Office Hours

1. LRCFT and the District agree that the provisions of the Collective Bargaining Agreement that limit the number of remote online office hours per week for full-time faculty (4.7.2.2.1 and


4.7.2.2.2) shall be waived for full-time faculty members whose offices were located in Davies Hall and who have not been provided with alternative office space.


2. LRCFT and the District agree that any other full-time faculty member who has been displaced from their office as a direct or indirect result of the Davies Hall closure, and who has not been provided with alternative office space, shall have the requirements for on-ground office hours waived.
3. LRCFT and the District agree that these waivers shall remain in place, and affected faculty shall be permitted to hold all office hours online and remotely, until such time as faculty are provided with a new office on campus.

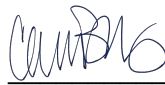
LRCFT Representative Approval:


Belinda Lum (Oct 4, 2023 18:45 PDT)
Belinda Lum
10/04/2023
Date

LRCCD Representative Approval:


Mario Rodriguez
10/05/2023
Date


jason newman (Oct 5, 2023 05:04 PDT)
Jason Newman
10/05/2023
Date


Carrie Bray
10/05/2023
Date