

**MEMORANDUM OF UNDERSTANDING  
BETWEEN  
DELTA COLLEGE AND DELTA COLLEGE FACULTY ASSOCIATION, MEA/NEA ON  
SENATE POLICY 3.005 - APPOINTMENT AND SUBSEQUENT APPOINTMENT OF NON-  
TENURE TRACK FACULTY: STANDARDS AND PROCEDURES**

This Memorandum of Understanding (“MOU”) is entered into between and among Delta College (“College”) and the Delta College Faculty Association, MEA/NEA (“DCFA”) (individually, a “Party” and collectively, the “Parties”).

This MOU temporarily modifies Senate Policy 3.005 to address the staffing issues associated with the recently completed Early Retirement Incentive offered by Delta College during the Winter 2019 semester. This MOU shall apply to College academic years 2019-2020, 2020-2021. This MOU expires at the conclusion of academic year 2020-2021 unless superseded by a collective bargaining agreement. If a collective bargaining agreement between the College and the DCFA is not executed on or before September 1, 2020, the Parties shall meet and negotiate in good faith about a successor memorandum of understanding to this MOU. If no such successor memorandum of understanding is executed by the Parties before this MOU expires, then the Senate Policy 3.005 in effect immediately before this MOU will be automatically reinstated.

The Parties hereby agree to adopt the following Senate Policy 3.005. Each Party acknowledges and agrees that it is not aware of any Senate Policy that is inconsistent with the following Senate Policy 3.005. However, to the extent there is a Senate Policy that is inconsistent, the following Senate Policy 3.005 will govern, and the Parties will meet to discuss potential implications. The Parties acknowledge and agree that the following Senate Policy 3.005 is subject to further negotiation during collective bargaining and that this MOU cannot be changed unless by a written agreement signed by an authorized representative of each Party.

**3.005 APPOINTMENT AND SUBSEQUENT APPOINTMENT OF NON-TENURE TRACK FACULTY: STANDARDS AND PROCEDURES \*\***

This policy enables Delta College to hold to its ideals of academic excellence, access, and quality. These levels of faculty appointments allow the institution to provide quality educational opportunities during times of enrollment fluctuation, temporary faculty vacancies, and scheduling or budgetary needs. We will work to maintain a balance in our use of these faculty appointments to meet these needs in order for Delta College to maintain its high academic standards by offering its students and the community quality programs and services.

The full-time faculty members of this institution have a two-pronged obligation: (1) to meet the primary responsibility of the educational process, including but not limited to: maintaining currency in subject matter and methods of instruction, curriculum development, instruction and assessment and (2) to actively participate in shared governance at the College. **Because part-time faculty have limited participation in fulfilling these obligations beyond teaching, the College will make a good faith effort to maintain, as a minimum, the current standard of sixty-five percent of total credit/contact hours being taught by full-time faculty.**

## I. Types of Temporary Faculty Appointments

- A. Part-Time Faculty - An appointment to teach individual courses for twenty-eight or fewer credit/contact hours total in Fall and Winter Semesters. Teaching load assignment cannot exceed fourteen credit/contact hours OR two classes, whichever is greater, per Fall or Winter semester. Any additional teaching assignment(s) during a semester will be made at the discretion of the appropriate Dean after receiving and reviewing the recommendation of the appropriate Academic Associate Dean. Such a recommendation should be made only in rare circumstances. Spring/Summer teaching load will be determined by the appropriate Academic Associate Dean. This appointment is considered part-time. (See Senate Policy 5.020 - A/P Teaching Policy.)

Responsibilities: Teaching, including assessment of student learning, is the primary responsibility of part-time faculty, although some additional discipline responsibilities may be required.

- B. One-Semester Appointment - An appointment for fifteen or more credit/contact hours for one semester in an academic year. Primarily used to fill fall or winter, single-semester vacancies of full-time faculty, including, but not limited to, sabbaticals, medical leave, family leave, or in emergency enrollment situations. This appointment is considered full-time temporary. Salary will be at the appropriate Instructor base with benefits consistent with those for full-time temporary employees. If lack of qualified faculty would lead to loss of significant enrollment, a one-semester appointment may be extended to one additional semester. When more than one qualified faculty member is available, an individual faculty member is limited to a single One-Semester Appointment in an academic year. In the event the need is for fewer than fifteen credit/contact hours, such appointment shall be considered a part-time appointment and subject to policies applicable to part-time faculty.

Responsibilities: In addition to teaching, including assessment of student learning, faculty in One-Semester Appointments are expected to fulfill division responsibilities of a full-time faculty member appropriate for one semester, including attendance at division and discipline meetings and all major division and discipline activities. Time served in One-Semester Appointment positions does not apply to promotion or tenure.

## II. Initial Appointment and Subsequent Appointment of Part-Time Faculty and One-Semester Appointments

- A. Applicants for positions must possess qualifications consistent with the standards of Delta College. The general qualifications for appointment to the faculty will be:
1. Demonstrated or potential ability as a teacher and/or
  2. Professionally recognized achievement in the discipline to be taught and
  3. Appropriate educational background.
- B. Subsequent appointment of Part-time Faculty and One-Semester Appointments will follow annual performance evaluations conducted by the Academic Associate Dean or designee. Details are outlined in the part-time faculty handbook.

- C. Teaching assignments of Part-Time Faculty and One-Semester Appointments will be made at the discretion of the appropriate Academic Associate Dean. If a class is required for a full-time faculty member as a part of his/her load or as an extra teaching assignment, a part-time faculty member may be replaced up to and including the first day of classes. (See Senate Policy 3.040 - Supplemental Employment.)
- D. Part-time instructors shall be considered employees of the College only during payroll periods covering their course assignments.

### III. Type of Full-Time Non Tenure Track Appointments

- A. Emerging Program Faculty – This is a full-time appointment with full benefits, including membership in Senate Assembly. Faculty are appointed by the recommendation of the Academic Associate Dean to the Dean of Teaching and Learning in consultation with division/discipline faculty.

In order to be responsive and meet the needs of an ever-changing workforce, a limited number of emerging program faculty positions may be used to start programs and/or fill gaps in these areas. The total number of these positions will not exceed 5% of the number of tenure-track and tenured faculty at Delta College. These positions will be reviewed annually for viability and possible conversion to tenure-track positions. If the need for a specific position remains for five years, that position will be converted to a tenure-track position. In the event that an emerging program is discontinued under Senate Policy 3.023, the associated emerging program faculty position(s) would also be discontinued at that time.

Responsibilities: In addition to teaching and division responsibilities, faculty in emerging programs faculty positions are expected to fulfill all College responsibilities, including participation in governance, Senate and College committees, and major College activities, including the graduation ceremony.

Time served in emerging programs faculty positions applies toward promotion and also toward tenure if individual is subsequently hired into a tenure track position.

- B. One-Year Renewable Faculty - This is a renewable full-time appointment for one academic year with full benefits, including membership in the Senate Assembly and eligibility for DCFA membership. The one-year renewable faculty position is intended to fill temporary needs without committing to tenure track obligations.

Appointment Process: The Academic Associate Dean will provide division/discipline faculty with an opportunity to provide input on a one-year renewable faculty candidate and the Academic Associate Dean may recommend that candidate for appointment to the Dean of Teaching and Learning and the Vice President of Instruction and Learning Services. The Dean of Teaching and Learning and the Vice President of Instruction and Learning Services will consider the recommendation and either individual may recommend the candidate for appointment to the College President. The College President will consider such a recommendation and may appoint the candidate to the one-year renewable faculty position.

Responsibilities: In addition to teaching and division responsibilities, one-year renewable faculty are expected to fulfill all College responsibilities, including participation in governance, Senate and College committees, and major College activities, including the graduation ceremony.

Time served in a one-year renewable faculty position applies toward promotion and also toward tenure if the individual is subsequently hired into a tenure-track position.

These positions will be reviewed annually for viability and possible conversion to tenure-track positions. If not converted to tenure-track, these positions will be automatically eliminated at the conclusion of the Winter 2021 semester, unless otherwise agreed to by the Parties in writing in a successor memorandum of understanding or collective bargaining agreement.

- IV. This Policy 3.005 shall not apply to one-year renewable faculty employed on or before the Parties sign this MOU.
- V. Appointment and Subsequent Appointment of Emerging Program Faculty and One-Year Renewable Faculty Appointments
  - A. Appointment of emerging program faculty and one-year renewable appointments by the College President will be consistent with the standards specified in II. A., 1, 2, 3, above. These appointments will be made on an annual basis.
  - B. Subsequent appointment of emerging program faculty and subsequent appointment of one-year renewable faculty for the 2020-2021 academic year by the College President will originate with the recommendation of the Academic Associate Dean through the appropriate academic administrator(s); the Academic Associate Dean will provide faculty members in the division who have completed at least one year of full-time status at Delta College an opportunity to provide input on the subsequent appointment. If the faculty member inquires in writing about the College administration's decision on their subsequent appointment, the Academic Associate Dean will inform that faculty member of the decision or, if no decision has yet been made, that the College administration has not yet made a decision. If the College administration decided not to reappoint an emerging program faculty member or a one-year renewable faculty member, the Academic Associate Dean will provide that faculty member written notice as to the reason(s) for this decision. If his or her contract is not to be renewed, the emerging program faculty or one-year renewable faculty will be informed in writing no later than the twelfth week of winter semester.
  - C. Procedures for Appeal of Non-Subsequent Appointment for Emerging Program Faculty and One-Year Renewable Faculty.
    - 1. Procedures in the Senate Handbook will be used. (See Senate Policy 2060 Procedure.)
    - 2. When Academic Freedom is an issue, the section on Academic Freedom in the Senate Handbook will be used. (See Senate Policy 3.085 - Academic Freedom.)

\*\* This policy must be reviewed by The Parties no later than September 1, 2020.

Board Action 4965 – November 13, 2012  
Board Action 4829 – Modifications for 2010/2011 Academic Year made to  
Section I, A and Section I, D – June 10, 2010  
Board Action 4650 – January 15, 2008  
Board Action 4488 – May 10, 2005  
Board Action 3521 – June 14, 1994

Delta College: Jean Goodrow Date: 10-7-19

Delta College Faculty Association, MEA/NEA [Signature] Date: 10/1/2019

Faculty Executive Committee Co-Chair: Daisy McDoustan Date: 9/30/19

Faculty Executive Committee Co-Chair: [Signature] Date: 09/30/19