

### SOME QUESTIONS AND ANSWERS

1.    **Q.**    Does the department need to have one pool, or can it have more than one?

**A.**    The department can decide to have as many pools as it wishes, but each pool must be clearly defined and advertised. For example, if the pool is advertised as basic and advanced composition courses, the department may not staff literature classes from that pool.
2.    **Q.**    Who decides on who goes into a pool?

**A.**    This can be the Department Personnel Committee, a special committee for this purpose, or the Department Chair. In any case, it is crucial that the appointing agency develop and use a systematic process and evaluation instrument for making decisions.
3.    **Q.**    Does the department have to hire someone just because he or she is in the pool?

**A.**    No. Being in the pool is no guarantee of employment. Reasons why no assignment was given may include the presence of better qualified individuals within the pool with a similar assignment (e.g. three-year appointment, one-year appointment, etc.) or the lack of available teaching units. However, the department must be able to explain why it has not given an assignment, and seniority cannot be a determining factor for employment for part-time faculty.
4.    **Q.**    Can the department rank faculty in the pools?

**A.**    Yes. But the rankings may not be based on seniority and the rankings may not supersede entitlements or rules regarding order of assignment. Rankings may be based on such matters as evidence of teaching effectiveness, appropriateness of training and degree, and teaching record. The primary consideration in the appointment of part-time instructors must be matters related to teaching.
5.    **Q.**    A current temporary faculty member or new applicant applies to the pool, now what?

**A.**    Written confirmation should be sent to each applicant at the time the pool closes. This confirms receipt of his or her "application" and the pool(s) in which the applicant has been placed.
6.    **Q.**    If the part-time lecturer refuses to accept the teaching units that are offered, must he or she be offered different units?

**A.**    No. The entitlement is the offering of teaching units in a similar assignment. However, the offer must be in good faith. That is, the times and locations must be reasonable. The offer of the units should be in writing (email is acceptable) so that any refusal or resignation is documented.
7.    **Q.**    If a faculty member with an entitlement has a class that is canceled, what does the department have to do in order to meet entitlement?

**A.**    According to the Order of Assignment, all entitlements must be met before assigning courses to Part-Time Faculty without entitlements. If a class assigned to a faculty member with entitlements is cancelled, units from those faculty members with one-semester or new

faculty with one-year appointments must be reassigned to the entitled faculty member. If there are no other courses available for which the person is qualified to teach, discuss possible solutions with the College Dean and with Faculty Affairs.

8. Q. If the pool has more faculty members with entitlements than available teaching units will accommodate, must the department give teaching units from elsewhere in the department?
- A. No. The entitlement is restricted to the pool(s) for which the faculty member was found to be qualified. For example, if there are no more introductory mathematics courses left and there is one pool for introductory mathematics, the department does not have to assign an advanced mathematics course to a person in that pool merely because the faculty member has an entitlement.
9. Q. Does entitlement change during the term of a three-year lecturer appointment as a result of new or additional work?
- A. Entitlement is established in the academic year of service, (6<sup>th</sup> year) prior to the initial three-year appointment, and in the third year of subsequent appointments. Entitlement remains the same during the three years of the appointment. If the time base increases or decreases in the first or second year of a three-year appointment, it does not affect the unit entitlement for the next three-year appointment. However, if the time base increases or decreases in the year preceding the next three-year appointment, the entitlement is reset for the subsequent three-year appointment based on the time base for that year.
10. Q. A part-time lecturer taught one course both in Fall 2016 and Spring 2017. The faculty member was offered a one-year appointment for 2017-2018 but declined the course offered for Fall 2017. Does the department owe the lecturer an assignment in Spring 2018?
- A. Maybe. The lecturer has a 6-unit entitlement for 2017-18 based on having taught 3 units in Fall 2016 and 3 units in Spring 2017. If the department offered the lecturer 3 units for Fall 2017, then there is a remaining entitlement of 3 units for Spring 2018. If the department offered 6 units in Fall 2017, then the department does not owe the part-time lecturer an assignment in Spring 2018. If the lecturer declines an offer, the department should confirm in writing with the lecturer that an offer was made and that the faculty member declined the offer.
11. Q. If a lecturer with a three-year contract declines work, does declined work change an entitlement?
- A. No, declining units does not affect the current entitlement. Declining part of the units offered reduces the lecturer's entitlement **ONLY** if the units are declined during the year preceding the start of a new three-year appointment or during the last year of a current three-year appointment. If the units are declined during the first and/or second year of a three-year appointment, the lecturer's entitlement will not be affected in the subsequent year(s) of the three-year appointment.
- If the Lecturer **DECLINES ALL UNITS** offered, the lecturer maintains rights to the current three-year appointment. However, the department should verify with the faculty member whether or not the faculty member's decision to decline all units constitutes a resignation. If the lecturer intends to resign, this must be documented by a resignation letter from the faculty member.
12. Q. What if a faculty member retires and wishes to come back as a rehired annuitant?
- A. Retirement breaks any entitlement. The faculty member must start over as a "new" lecturer and, thus, falls in the last priority group in the order of assignment of units to temporary faculty. The faculty member builds entitlement as a Rehired Annuitant.