

LOS RIOS COMMUNITY COLLEGE DISTRICT

Guidelines for Authorizing New and Replacement Faculty Positions

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One of the most important annual processes in the District is the determination of faculty positions for the following fiscal year. This process is partially driven by legal requirements that establish the required number of full-time faculty for each district. But those numbers do not tell the full story of the importance of the faculty authorization process as practiced in the District. First, the District has long valued the benefits realized from regular faculty and has set goals for faculty staffing that exceeded State requirements. Second, and perhaps just as important, the process used to determine the priorities for those positions stands as one of the very best resource allocation systems anywhere, one in which resources are pooled and then redistributed based on greatest need as supported by consistent data and illuminated by thoughtful discussion. That process begins with the determination of the District's FTF obligation for the following year.

A. Definition of the Full-Time Faculty Obligation or Compliance Number

Annually, the State Chancellor's office establishes for each district a full-time faculty (FTF) staffing level. This required staffing level is referred to as a district's *full-time faculty (FTF) obligation number or FON*. The FON is the minimum number of full-time faculty that must be *employed* for a given fall semester. A district's full-time faculty obligation is adjusted each year by the percentage change (increase or decrease) in funded credit full-time equivalent students (FTES) over the prior year.

The obligation number was a provision of AB 1725 passed in 1990. Title 5 provisions specify the method for determining and reporting full-time faculty staffing levels. The initial provisions pertained to general purpose funded classroom faculty only. In 1998, Title V was changed to include all other faculty assignments such as counselors, librarians, nurses, coordinators, and categorically funded faculty positions as well. This change was an acknowledgement that all faculty are instrumental in and essential to the success of students. For Los Rios, the change increased our FTF obligation by eighty-five (85) FTF for non-classroom and categorically funded faculty positions employed as of fall 1997 (base year). This higher FTF obligation level is expected to be maintained by a district without regard to funding sources.

B. Projected & Actual FTF Determination and Reporting

A district should calculate its projected FTF obligations based upon the growth funded for the prior fiscal year and its projected funded growth for the current fiscal year. An allowance should be made for unfilled positions to ensure the obligation will be met. By calculating the obligation using projected results, the authorization process will align with the increase in resources. The basic calculation is relatively simple. A district's obligation each year is changed by the percentage change in funded credit full-time equivalent students (FTES). Projecting funded growth can be somewhat challenging but a district's projection is likely closer than the estimates used by the State.

Each fall, districts report to the State Chancellor's office the number of employed (filled) FTF. At the same time, the "75:25" ratio is also reported which is stated simply as the percentage of total faculty who are full-time employees. Districts are in compliance if either their FTF is higher than one the two estimates issued by the State Chancellor's Office or if the percentage of full-time faculty is at least 75%. Most districts comply by meeting the obligation number as the statewide average 75:25 for fall 2013 was 56:44 and only two districts were above 75%.

As stated, the Chancellor's office calculates two faculty obligation numbers (FON) for each fall. Both are estimates in order to allow districts sufficient time for planning and hiring. To be in compliance, a district must meet the lower of these two numbers. However, the actual FON for each fall is calculated when final funding is determined and that FON is the basis for the following fall's compliance number. Therefore, it is important for a district to recognize that the estimates may not reflect the best data and use its own projections for the current year's growth for its hiring plan. The following illustrates the timing and basis for the compliance numbers (FTF) for fall 2014.

August 2013	September 2014	Final
<i>1st Estimate for Fall 2014 FON</i>	<i>2nd Estimate for Fall 2014 FON</i>	<i>February 2015</i>
Recalculated final FON for 2011-12	Recalculated final FON for 2012-13	Final FON from 2012-13
+ Change in funded credit FTES at 2012-13 P2 + Change in Credit FTES at 2013-14 Advance	+ change in funded credit FTES at P2 for 2013-14	+ change in funded credit FTES at recalculation (final)

As described earlier, the *filled* staffing level of classroom, non-classroom and categorically funded faculty positions is calculated each fall and reported to the State Chancellor's

Office. The reported number is compared to the lower of the two FTF estimates. If the filled amount is less than either estimate, the district's funding will be reduced by an amount equivalent to the average faculty replacement cost for each FTF deficiency (fall 2014 - \$69,532 per FTF). This financial penalty will be applied for each year that a district's actual staffing level falls below the required full-time faculty (FTF). For this reason, additional FTF above the minimum obligation should be maintained (cushion) to allow for the typical number of unfilled positions that occur every year for a variety of reasons. Additionally, numerous provisions in Title 5 (53310) specify other reporting requirements and allowances for faculty on reassigned time, unpaid leave, sabbaticals, late retirements, etc. The allowances primarily recognize that a position should be counted as filled even though the incumbent employee may not be in paid status or performing their regular assignment.

C. Determining the number of hires for fall (Projected Staffing Levels)

If a district has authorized at least the *final* fall FTF obligation, the number of faculty positions required to be hired for the *following* fall semester is determined by adding together known retirements and resignations (replacements) and the number of growth positions based upon its estimate of student growth for the current fiscal year. The total of the two: replacements plus growth is the number of faculty positions that must be advertised and filled by the following fall semester.

Los Rios has historically matched its FTF obligation to the actual requirement. In other words, our authorized level is targeted to the final number to ensure that the authorization for growth occurs in the year the growth is earned. In addition, retirements and resignations are closely monitored. Generally, faculty positions must be replaced by the following fall semester for faculty who retire or resign within a fiscal year. However, one of the allowances in Title 5 is that if the notification of such retirement occurs within 45 instructional days of the end of the spring semester, the position can be counted as filled the next fall. Such positions should be filled by the following spring semester unless the academic senate and management jointly agree it is in the best interest of the District to extend the replacement process to the following fall. Los Rios has historically met its compliance even if these unfilled positions were excluded and has generally filled such positions in the following fall unless requested for earlier replacement as a critical hire.

D. Full-Time/Part-Time Ratio (75:25)

As previously mentioned, districts also report the full-time to part-time faculty ratio. The calculation uses full-time equivalents for both components. In accordance with Title V provisions, the overload of full-time faculty is excluded from the ratio calculations.

A district-computed full-time/part-time ratio is an important factor should the State ever provide special funding called Program Improvement Funds (Title V, 51025). Otherwise, the 75:25 ratio is strictly informational.

Even though there is no penalty and no set compliance number, Los Rios is committed to improving its ratio and has worked with the faculty union to increase the number of regular positions as well as improve productivity. Beginning in 2005-06, the district funded the first four of sixteen total regular faculty positions above the growth requirement to improve the ratio. These additional positions were agreed to in exchange for a commitment by the faculty union for improved and sustained productivity levels. The goal was to restore the district's ratio to 70%, a level it had been at historically before changes such as lab equity were implemented. Unfortunately, the budget crisis resulted in a suspension of the added positions. For fall 2011, Los Rios reported 69.35%. For fall 2013, Los Rios was at 67.93%, the eighth highest in the state.

E. Other Information Pertaining to Authorization of Faculty Positions

1. Counseling Staffing Levels and Replacement

The collective bargaining agreement between LRCFT and LRCCD specifies that counseling staffing levels would be maintained at a level of one counselor (FTE) for every 900 students enrolled as of the fall semester (calculated at census). Any adjustment to authorized counseling staffing levels due to increases or decline in student enrollment (1:900) shall be made upon issuance of the Counseling Entitlement report which generally occurs in November (See Article 4, Section 4.8.8 of LRCFT agreement). The required staffing level (FTE) for counseling activity is fulfilled by both full-time and adjunct faculty. Categorical funded counseling positions are outside of the district's 1:900 staffing requirement.

Retirements or resignation of regular (full-time) counselors are part of the faculty replacement process. If a retirement/resignation in counseling is not replaced with a full-time counselor, the maintenance of the college's staffing level at 900:1 shall be fulfilled with adjunct faculty (FTE).

2. Funding Sources for New/Replacement Faculty

There are three sources of revenue which may be available in any given year to fund faculty positions.

1. Base Budget: Regular faculty positions that are vacant as the result of a retirement or resignation are funded from base (on-going) funds.

2. Growth Funds: Regular faculty positions added due to student growth requirements are funded from the District's growth funds. Because more sections need to be offered during times of growth, which would typically utilize more adjunct staff, the addition of regular positions should maintain the District's FT/PT staffing ratio as well as compliance with the FTF obligation. The growth positions are a conversion of adjunct FTE to regular FTE and so the net cost (differential) is the charge to growth funds.

3. Program Development Funds (PDF): PDF can be used to support regular faculty positions. The District most recently committed to funding 16 regular positions from continuing PDF revenues.

In the past, new revenue sources have been used for faculty positions. One example is Partnership for Excellence where positions were added above the growth requirement to improve the districts 75:25 ratio. Categorical funds can also be the source of additional faculty positions.

F. Process Elements in Determining Fall Hires

Authorization of Positions

Faculty positions are allocated to the colleges based upon where the program need is greatest. Vacant positions are not automatically re-authorized, except in limited circumstances, back to the department. Authorization for hiring occurs via two processes.

1. Annual determination of positions to be hired by the start of the following fall term

The allocation of known replacement and projected growth faculty positions occurs in late November or early December for the following fall term. The number of faculty positions to be hired includes any replacement of faculty retirements and resignations that will occur during or at the end of the current year, and retirement or resignations that occurred after the prior November determination and not already filled through the critical hire process. The retirements are tracked in position control in a schedule titled the "Retirement Bank."

Fiscal Services provides the bank information to the colleges prior to the authorization process to confirm that all positions are included.

2. Critical Hires for fall or spring employment

Although the majority of retirements and resignations are known when the November determination is made, some retirements and resignations are announced after this process. Reasons vary but sometimes include the death of a faculty member or other unexpected circumstances as well as just a delayed decision regarding retirement.

Regardless of the reason, a vacancy that occurs after the November process can be requested as a critical hire. Dependent upon the timing, the hiring process may occur in the spring for a fall start or during the fall for a spring start. Unlike the process in November, a critical hire generally can only be for a replacement of the position that was vacated. The rationale being that the position is critical to the program and would be ranked in the next authorization process such that it would most likely be authorized.

The following pages contain additional information regarding the timing and documentation requirements for the authorization of faculty positions, including long-term temporary.

Section A Timeline and Process for Determining the Number and Allocation of Faculty Positions for Fall

Section B Criteria for Prioritizing Positions

Section C Critical Hires

Section D Long-Term Temporary Positions

A. TIMELINE AND PROCESS FOR DETERMINING THE NUMBER AND ALLOCATION OF FACULTY POSITIONS FOR FALL

	Responsible Unit	Est. Timeline
<p><u>College Priority Lists - All Positions, except categorical</u></p> <p>Colleges establish a prioritized list of general fund (non-categorical) positions including professors, counselors, librarians, coordinators, and nurses, based upon program priorities, growth, and replacement needs.</p> <p>The prioritized lists should identify the department to which the position is assigned and the type of position.</p> <p><i>Categorically/Grant Funded Positions</i> are included in the State compliance requirements and the district’s calculations of actual staffing levels. Although the inclusion of these positions increases the district’s overall required staffing levels, the filling of categorical positions are typically defined or required by external agencies and the determination of positions is made within each college.</p> <p>Therefore, categorical positions are not included in the prioritization process. Authorized staffing levels, whether part-time or full-time, shall be determined by the college and coordinated with District HR and Business Services. Available funds, categorical program requirements, amounts allocated for regular staff compared to total program funds, and other program objectives will be considered when determining authorizing regular faculty for categorical programs.</p>	<p>Academic Senate, Deans, VPIs and VPSSs, President</p>	<p>No later than Nov. 1st</p>

<p><u>FTF Obligation/Compliance Number, Projected</u></p> <p>The following fall semester’s FTF Compliance Number is projected as described earlier. The change in the FON is the number of growth positions to be authorized in addition to replacements.</p> <p>When District Business Services files the compliance report with the State, the data is verified with HR to ensure the staff data report submitted by HR reconciles with the compliance information.</p>	<p>Business Services</p>	<p>Mid to late November</p>
<p><u>College Staffing Ratio (Internal Ratio)</u></p> <p>Each college’s full-time/part-time faculty ratio is calculated in accordance with Title V provisions excluding categorically funded positions.</p> <p>These modified ratio calculations are referred to as the <i>college’s staffing ratio</i> (internal use only). The overall goal of this calculated staffing ratio is to achieve some level of parity across the colleges. A college’s staffing ratio will be a consideration when reviewing the allocation of positions and considers critical and delayed hires in projecting the following fall’s FT:PT levels</p>	<p>Business Services</p>	<p>Calculated as part of FTF reporting</p> <p>Mid-November</p>

B. CRITERIA FOR PRIORITIZING POSITIONS

Although the internal FT:PT ratios are a guide used in the allocation determination, other factors can be considered. These same factors may be used in the college process and are as follows:

a. Educational Needs

Quantitative

1. Teaching

- Three-year fall semester WSCH and headcount information in the discipline
- Three-year fall semester productivity trends in the discipline (where appropriate)
- Three-year part-time/full-time faculty ratio trends in the discipline
- Anticipated growth/demand in the discipline or for the service

2. Counseling, librarian, and nurses

- Three year fall semester head count college-wide
- Three year fall semester trend in number of students served by the service area
- Three year trend in new services provided and services eliminated
- Counseling growth positions can only be requested if sufficient FTE is available to convert part-time FTE to 1.0 of regular FTE.

3. Coordinator - non-teaching

- Three year fall semester head count college-wide
- Three year fall semester trend in number of students served by the service area
- Three year trend in new services provided and services eliminated

Qualitative

1. Teaching

- Part-time faculty is not available (e.g., daytime program)
- Part-time positions do not meet accreditation/program requirements

B. CRITERIA FOR PRIORITIZING POSITIONS (Cont.)

- Program requires at least one full-time position for accreditation
 - Historical information
2. Counseling, librarian, and nurses
 - Part-time service providers difficult to attract
 - Changes in regulations/accreditation requiring full-time employees
 - Service area requires at least one full-time position
 - Other extenuating circumstances
 3. Coordinator – non-teaching
 - Program accreditation requirements
 4. Internal College Staffing Ratios
 - Consideration should be given to the FT:PT ratio across departments.

The colleges' priority list of positions will not be modified in creating the district-wide list of Full-Time Faculty positions recommended for hire for the fall semester.

C. CRITICAL HIRES

Retirements and resignations occurring after the fall determination may be requested as a critical hire either to be made during the spring recruitment process or a fall recruitment process (spring start date).

1. Unanticipated Retirement/Resignation If late or unanticipated retirements/resignations occur in a critical area after the fall list is ranked, a written request for a regular shall be presented to VP Council after first consulting with the Academic Senate at the affected college. A copy of the request shall also be submitted to HR and Business Services. Such requests must be a replacement in the same discipline.
2. Faculty Transfers If a faculty transfer occurs between colleges, the vacated FTF shall stay with the college if the open position is assigned to a discipline with documented critical need. If a critical need does not exist in that discipline, the FTE will be moved to the retirement bank for the next faculty position authorization process.
3. Probationary Faculty The position for replacement of probationary faculty within the first three years of authorization shall stay with the college in the same discipline given the relatively recent justification/authorization of the position.
4. New Program Implementation For occasions, particularly those related to grants in CTE areas, when the implementation of a new program requires a critical need hire in order to provide faculty leadership for a new program and where there are no current available faculty, and the normal timelines of faculty prioritization/authorization cannot be used.
5. Counseling replacements A counseling replacement may be requested as a critical hire without requiring documentation of the need similar to classroom faculty. Counseling staffing ratios have been maintained at a significantly higher level than classroom faculty. However, the college should consider whether its counseling ratio allows for staffing of adjunct and overload services.

D. LONG-TERM TEMPORARY POSITIONS

A long-term temporary (LTT) faculty member is a person employed in a faculty position that is held by a regular faculty member who is *temporarily* absent. A long-term temporary assignment is greater than 67% and does not qualify as a tenure-track assignment. A long-term temporary faculty member is paid from Schedule A.

The most common use of an LTT is to replace a regular faculty member who is absent for a full semester or year regardless of whether the absence is paid or unpaid. Sections (1) and (2) below provide additional detail.

At times, a number of partial leaves and reassignments may also impact a department's ability to schedule loads. In those cases, two or more partial leaves or reassignments may be combined to support an LTT request. Paragraph (3) provides the type of reassignments that are eligible for an LTT request of this nature.

The above descriptions reference LTT requests in the same department as the regular faculty member(s) on leave or reassigned. On rare occasions, an LTT may be requested in a different department than the regular faculty member(s) whose leaves are referenced in the request. Paragraph (4) explains when and how to request an LTT in this situation.

In all cases, the maximum FTE for LTTs in a given year is 50% of the total eligible leaves and reassigned time for each college.

Long Term Temporary replacement requests shall be reviewed by VP Council, Business and Human Resources.

The Academic Senate President will be advised when there is a request to hire an LTT.

(1) LTT in the same discipline replacing a regular faculty member who is on leave or reassigned for at least a full semester.

Replacement of regular faculty who are on paid or unpaid leave may be filled with a long-term temporary (LTT) position as described below. The authorization (P102) request for an LTT must reference the faculty member being replaced. Typically, the leave is a result of sabbaticals, reassignments, interim dean appointments, health or military leave and the replacement LTT is in the same discipline.

Paid and unpaid full-time leaves of absence (including Health and Personal), Type A, and Type C leaves, may be replaced by an LTT. The LTT position must be a minimum of one semester and no greater than one year

D. LONG-TERM TEMPORARY POSITIONS (Cont.)

(2) Opportunity Leave – Replacement

Long-term temporary replacement for a faculty member who is on either a semester or year-long unpaid leave and who has accepted an appointment to a permanent/regular position at another college or who is gainfully employed, or who is on an approved opportunity leave shall not be permitted; except

- a. If an inter-jurisdictional exchange (IJE) agreement is in place between the district and an external agency. The agreement must provide for district reimbursement of salary and benefit cost of faculty member participating in the IJE program; and
- b. The request to employ/advertise document (P102) must show the currently authorized position of the faculty member as the replaced person/position; and
- c. The LTT replacement must be in the same discipline.

The authorized position of the faculty member on an opportunity leave is not available for supporting an LTT replacement in another discipline.

(3) Other Reassignments (Partial)

- a. Type B Leaves, Presidents Release, and Academic Senate reassigned time may be backfilled with an LTT.
- b. Faculty who are reassigned to a special project such as a grant or special program may be replaced with an LTT as long as the faculty's full salary/benefit costs are funded by the grant/special program.
- c. Reassignments for department chairs are **not** eligible to be replaced with an LTT. LRCFT release time may be utilized if the reassignment is greater than .40.

A department may combine eligible reassignments and unpaid leaves to create a long-term temporary position for the faculty on leave. The LTT position must be a minimum of one semester but no greater than one year. The P102 request must list the eligible partial leaves and reassignments that are in support of the request.

(4) LTT Request – Different Discipline

In some instances, an LTT is used to fill an approved/authorized position that is not "owned" by another employee. In other words, the authorized position is vacant. The vacancy may be the result of an unanticipated retirement, an unfilled advertised position

(inadequate pool), or a fraction of a position due to the District's Reduced Workload program. Replacement criteria as stated in "Criteria for Prioritizing Positions" must be met. Because the position being replaced is not filled by a regular employee, another filled position which is available due to leaves or reassignments must serve as the replacement position for the LTT and likely will be from a different discipline.

The use of an LTT in this situation is limited to only one LTT per college per year and the LTT assignment is limited to one semester only and must meet the following conditions:

- a. The approved position was not filled (inadequate applicant pool, etc.); or
- b. Sudden unforeseen events such as an unanticipated retirement/resignation, permanent disability or death; and
- c. The replacement criteria is met; and
- d. The college considers the position as a top priority in the next hiring phase.

The college shall identify eligible paid or unpaid faculty leaves of faculty in other disciplines as part of the request for the LTT.

One other justification for an LTT is where there is not sufficient leave or release time in a given discipline for a 1.0 LTT but there are not available adjunct for the normal course assignments of the faculty in the discipline on leave or reassigned. Typically, this would be for morning classes and generally in the sciences. In that case, an LTT may be requested using the available, unfilled FTE in the discipline combined with FTE from another discipline.

LTT positions are advertised. However, if a pool in the same discipline is open or has recently been interviewed, a candidate may be selected from that pool without re-advertising the position. In cases where the need is imminent, the emergency hire process for adjunct may be utilized to fill the LTT assignment.