

Article 23: Reduction in Force of Faculty Positions

“REDUCTION IN FORCE” means an official status instituted after due process that requires faculty members to be removed from current assignments and may involve the layoff of the tenured faculty members if no suitable assignments can be determined through evoking seniority rights (see Ed Code Sections 87743 – 87746). (See Board Policy 4.3.2d, Reduction-in-Force of Faculty Positions.)

“SENIORITY RIGHTS” means the right of senior faculty to retain employment in the District in those subjects that they are both qualified and competent to teach. Priority of assignment in a reduction-in-force situation is based on placement on the District maintained seniority list. Seniority rights can be exercised by faculty only in their assigned FSA’s. Seniority means length of service of regular faculty member ranked by date of hire with drawing of lots determining placement of faculty hired on the same date. (Note: a copy of the Seniority List for the District is available in the Human Resources Department.)

23.01 ESTABLISHING SENIORITY LIST AND APPLICABLE FSA’S

- A. **Placement on Seniority List:** Acknowledgment of the possibility of a reduction-in-force is implicit in the original hiring of regular faculty. At the time of hiring the faculty member is placed on a seniority list according to date of hire in the District with the use of a lottery to determine ranking among those with the same date of hire.
- B. **Assignment to Faculty Service Areas:** A new faculty member will be assigned to one or more Faculty Service Areas (FSA’s) based on minimum qualifications and teaching assignment according to the provisions of Article 15: Faculty Service Areas and Competency Standards.

23.02 EXERCISE OF SENIORITY RIGHTS

- A. **Implementation:** At the time of an official reduction-in-force of faculty, seniority rights may be exercised only in the Faculty Service Areas that the faculty member has been assigned prior to the official notice of the reduction-in-force situation.
- B. **Tenured Faculty Rights:** “. . . However, the services of no tenured employee may be terminated under this section while any probationary employee, or any employee with less seniority, is retained to render a service in a Faculty Service Area in which the records of the district maintained pursuant to Section 87743.3 reflect that the tenured employee possesses the minimum qualifications prescribed by the Board of Governors and is competent to serve under district competency criteria.” (Ed Code Section 87743.)
- C. **Assignments:** The Board shall make assignments and reassignments in a manner that employees shall be retained to render any service which their seniority and qualifications entitle them to render.

23.03 FACULTY HIRED PRIOR TO JULY 1, 1990: Faculty hired prior to July 1, 1990 will be “grandparented” recognition as being qualified in all the disciplines covered by existing credentials and/or meeting new minimum qualification requirements as of July 1, 1990. These faculty will be deemed competent (in the AB 1725 context) in those disciplines in all areas covered by their credential and qualifications and thus qualified for assignment to FSA’s associated with those areas.