



SAN DIEGO COMMUNITY COLLEGE DISTRICT

CITY COLLEGE • MESA COLLEGE • MIRAMAR COLLEGE • CONTINUING EDUCATION

Administrative Procedure

Chapter 7 – Human Resources

AP 7215 – ACADEMIC EMPLOYEES: PROBATIONARY CONTRACT FACULTY

The District shall employ a faculty member for the first academic year of their employment by contract. Any person who, at the time an employment contract is offered to them by the District, is neither a tenured employee of the District nor a probationary employee then serving under a second or third contract shall be deemed to be employed for "the first academic year of their employment."

A faculty member shall be deemed to have completed their first contract year if they provide service for seventy-five percent (75%) of the first academic year.

Before making a decision relating to the continued employment of a contract employee, the following requirements shall be satisfied:

- The employee shall be evaluated in accordance with the evaluation standards and procedures established in accordance with law and AFT Guild, Faculty Bargaining Unit, Collective Bargaining Agreement, Article 15.
- The Board shall receive statements of the most recent evaluations.
- The Board shall receive recommendations of the District Chancellor
- The Board shall consider the statement of evaluation and the recommendations in a lawful meeting of the Board of Trustees.

If a contract employee is working under their first contract, the Board, at its discretion, shall elect one (1) of the following alternatives:

- Not enter into a contract for the following academic year.
- Enter into a contract for the following academic year.
- Employ the contract employee as a regular employee for all subsequent academic years.

If a contract employee is working under their second contract, the Board, at its discretion, shall elect one of the following alternatives:

- Not enter into a contract for the following academic year.
- Enter into a contract for the following two academic years.
- Employ the contract employee as a regular employee for all subsequent academic years.

If a contract employee is employed under their third consecutive contract, the Board shall elect one of the following alternatives:

- Employ the probationary employee as a tenured employee for all subsequent academic years.
- Not employ the probationary employee as a tenured employee.

The Board of Trustees shall give written notice of its decision and the reasons therefore to the employee on or before March 15 of the academic year covered by the existing contract. The notice shall be by registered or certified mail to the most recent address on file with Human Resources. Failure to give the notice as required to a contract employee under their first or second contract shall be deemed an extension of the existing contract without change for the following academic year.

The Board of Trustees shall give written notice of its decision under Education Code Section 87609 and the reasons therefore to the employee on or before March 15 of the last academic year covered by the existing contract. The notice shall be by registered or certified mail to the most recent address on file with Human Resources. Failure to give the notice as required to a contract employee under their third consecutive contract shall be deemed a decision to employ them as a regular employee for all subsequent academic years.

Also see the Collective Bargaining Agreements (CBA)/Handbooks for applicable employee groups. If there is any conflict between this procedure and the applicable CBA, the CBA provisions shall prevail.

References: Education Code Sections 87600 et seq.

Approved: 4/1/19

New Procedure