

**HUMAN RESOURCES**

**AP 7215 ACADEMIC EMPLOYEES: PROBATIONARY CONTRACT FACULTY**

**References:**

Education Code Sections 87600 et seq.

The District shall employ a faculty member for the first academic year of his or her employment by contract. Any person who, at the time an employment contract is offered to him or her 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 his or her employment."

A faculty member shall be deemed to have completed his or her first contract year if he or she provides service for 75 percent 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 the Palomar Faculty Federation collective bargaining agreement.
- The Governing Board shall receive statements of the most recent evaluations.
- The Governing Board shall receive recommendations from the Superintendent/President.
- The Governing Board shall consider the statement of evaluation and the recommendations in a lawful meeting of the Board.

If a contract employee is working under his or her first contract, the Governing 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 academic year
- Employ the contract employee as a regular employee for all subsequent academic years

If a contract employee is working under his or her second contract, the Governing 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

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*(This is a new procedure recommended by the CC League and the League's legal counsel)*

- 32           • Employ the contract employee as a regular employee for all subsequent  
33           academic years

34           If a contract employee is employed under his or her third consecutive contract, the  
35           Governing Board shall elect one of the following alternatives:

- 36           • Employ the probationary employee as a tenured employee for all subsequent  
37           academic years
- 38           • Not employ the probationary employee as a tenured employee

39           The Governing Board shall give written notice of its decision and the reasons therefore  
40           to the employee on or before March 15 of the academic year covered by the existing  
41           contract. The notice shall be by registered or certified mail to the most recent address  
42           on file with the Human Resource Services Office. Failure to give the notice as required  
43           to a contract employee under his or her first or second contract shall be deemed an  
44           extension of the existing contract without change for the following academic year.

45           The Governing Board shall give written notice of its decision under Education Code  
46           Section 87609 and the reasons therefore to the employee on or before March 15 of the  
47           last academic year covered by the existing contract. The notice shall be by registered  
48           or certified mail to the most recent address on file with the Human Resource Services  
49           Office. Failure to give the notice as required to a contract employee under his or her  
50           third consecutive contract shall be deemed a decision to employ him or her as a regular  
51           employee for all subsequent academic years.

52           Office of Primary Responsibility: Human Resource Services

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