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DISTRICT COUNTER PROPOSAL #2- 8/09/2022

ARTICLE 12 - DEPARTMENT CHAIRS/DIRECTORS/PROGRAM COORDINATORS

12.1 The District may establish for any Department or Program in the District the position of Department Chair or Program Director (hereinafter referred to in this Article as the "Department Chair"). **Department Chair and Assistant Department Chair, if applicable, All positions described in this Article** are faculty positions.

12.2 The Department Chair will report directly to, and be under the immediate supervision of, the Dean or first-level administrator responsible for the department.

12.3 Election of a Department Chair

12.3.1 The Department Chair shall be elected, through the use of a secret ballot, for an initial two-year (2-year) term of office by a simple majority of **those who vote out of** the voting members of the department **(as outlined in the department bylaws)** in which **he/she they teaches**. In the case of a tie, the tie will be broken using whatever tie-break procedures are outlined in the department's bylaws. The Department Chair's position may be rotated among tenured members of the department. **The Department Chair must be a full-time faculty member of the department that he/she will chair. The Department Chair must also be tenured, though probationary faculty may be elected as Chair if special circumstances exist.** Departments may choose to elect two faculty members as Co-Department Chairs or two faculty members to serve in alternate semesters as Department Chairs, with duties, stipends, and assigned time to be split as appropriate, and determined by the department, with consultation with the appropriate Dean.

Only tenured faculty members with the majority of their contract within the department will be eligible to become Department Chair, though an exception will be made in the event that no tenured faculty member within the department is available to assume the responsibilities of chairing. In that circumstance, a probationary faculty member or a faculty member who has a partial contract within the department may be elected. **See Article 12.5.3 for further exception.**

In the case where an outside accreditation agency or this Article recognizes assistants to the chair's position, those assistants shall be filled by tenured faculty members through a vote of the department. All assistants must be tenured, though an exception will be made in the event that no tenured faculty member within the department is available to assume the responsibilities of assistant to the chair.

12.3.2 If there is evidence that the Department Chair is performing his/her their duties in a satisfactory manner, the current Chair may be re-elected for additional one-year (1-year) terms. Faculty may continue service to the department as Chair so long as elections are held on a yearly basis with subsequent terms of office lasting for one (1) year each.

12.3.3 To conduct the meeting at which the Department Chair is elected, a quorum must be present. A quorum for department meetings is defined as a simple majority of the tenure and tenure-track faculty of the department. Proxy votes for Department Chair will not be accepted. Electronic voting is allowable as long as all department bylaws are followed.

12.3.4 The election of a Department Chair may not occur unless an announcement of the pending vote has been placed on the agenda of a department meeting, then distributed to all voting members of the department at least five (5) working business days in advance of the meeting at which the voting takes place.

12.3.5 Any tenured or tenured-track member of the department may nominate a department member as a candidate for Department Chair.

12.3.6 The election must take place on or before April 15, and the Department Chair takes office on July 1 of the new fiscal year. With outgoing and incoming Chair agreement, the incoming Chair can start his/her their term immediately following commencement instead of waiting until July 1. In such an event, the appropriate Division Dean shall be notified by May 1.

12.3.7 Copies of the minutes of the department meetings dealing with the election of a Department Chair must be kept in the departmental office or records and sent to the appropriate Division Dean.

12.3.8 The Department Chair and Assistant Chair(s) of the Nursing Education Department will need to meet the requirements in Article 3 sections 1424 and 1425 of the California Board of Registered Nursing regulations. The department will define the word "supervision" as written in Section 1425 (i) as leadership.

12.4 Removal or Resignation of a Department Chair

12.4.1 The Department Chair may resign at any time.

12.4.2 ~~If problems with a Department Chair occur within a department, reasonable efforts should be made to resolve them informally with the Department Chair. If faculty members are unsuccessful in these efforts, they shall formally petition inform the Dean to call of a meeting for the purpose of either resolving the concerns or recalling the Department Chair.~~

The majority of ~~all tenure and tenure-track~~ department members eligible to vote in departmental matters ~~as outlined in department bylaws~~ may recall the current Department Chair ~~in accordance with the process outlined below for documented dereliction of department chair duties at a department meeting convened in accordance with Section 12.4.3 below. The department chair duties are outlined in Article 12.6 at a department meeting convened in accordance with Section 12.4.3 below.~~

12.4.3 ~~The department meeting at which a recall may occur must be announced with the pending recall election, placed on the agenda, and this notice and the documented concerns must be distributed to all voting members of the department at least five (5) working days in advance of the date of the meeting.~~

~~A formal petition Notification to the Dean shall be in writing, shall be signed by at least 1/3 of eligible voting members in the department. The petition shall and shall include the specific concerns that faculty members have. and the The Department Chair shall be copied.~~

~~Upon receipt of a formal petition notification, and within five (5) business days, the Dean shall notify the Department Chair and the appropriate Vice-President that a meeting of the department shall be held, either to resolve the concerns or recall the Department Chair. The Dean and the Vice President are not participants in the meeting. Said meeting shall take place within five (5) business days of notification to the department.~~

12.4.4 A quorum consisting of a simple majority of departmental voting members must be present for a vote to occur.

12.4.5 If a Department Chair is replaced, the new Chair shall assume office immediately, at the end of the semester, or no later than July 1.

12.4.6 No established department ~~may will~~ be without a Department Chair.

12.5 Absences of the Department Chair

12.5.1 In the event of the Department Chair's absence, for any reason, for a period of one (1) full semester or less, the Department Chair, in consultation with the appropriate Division Dean, may appoint a temporary replacement.

12.5.2 In the event of a recall, resignation, or absence from duties for more than one (1) semester because of illness, a leave of absence, a sabbatical leave or any other reason, the position shall be declared vacant, and an election shall be held to select a new Department Chair, who shall then assume the office immediately. If the new Department Chair assumes office with less than one (1) full semester remaining in the academic year, the fraction of the first year served shall not be counted as part of **his or her their** two-year (2-year) term; but if more than one (1) semester remains in the academic year, the fraction of the first year shall count as a full year in the determination of **his or her their** tenure in the office of Department Chair.

12.5.3 In the event that no full-time faculty member from the department is willing or able to serve as department chair, a tenured faculty member from the division may serve temporarily as department chair until an election can be held.

12.6 The Department Chair, under the immediate supervision of the Dean or first-level administrator responsible for the department, is responsible for providing leadership for the department and on behalf of the department to the District. The Department Chair is responsible for various planning activities as well as the organization, coordination, oversight, and evaluation duties involving the operations of the department. **It is the Department Chair's primary responsibility but some of the duties outlined below may be carried out in collaboration with or by faculty who are Assistant Chairs, Program Coordinators, or Discipline Specialists.** These duties include, but are not limited to, the following:

12.6.1 Budgeting

1. Prepare and accurately monitor department budgets
2. Set priorities for department resource needs in collaboration with department members
3. Review and approve supply and equipment requests
4. Coordinate and review attendance and payroll reports

12.6.2 Curriculum

1. Coordinate curriculum development and review
2. Produce accurate and timely **catalog catalogue** information
3. Maintain current department syllabi for all course offerings
4. Coordinate field trip requests
5. Review course substitutions and equivalencies
6. Approve credit by exam requests, where applicable
7. Facilitate textbook review and selection where appropriate
8. If acting as the Department SLO Facilitator, the Department Chair will also assume the duties outlined in 12.9.

12.6.3 Department Leadership

1. Represent the department within the division and to administration
2. Participate in and encourage faculty participation in shared governance
3. Conduct department meetings. Chairs shall conduct at least one department meeting per semester.
4. **Solicit feedback from part-time faculty in the department to share at meetings if bylaws do not allow for part-time faculty to attend and/or vote in department meetings.**
5. Maintain minutes from department meetings and make them available to department members. Departments shall create and vote on department bylaws.
6. Attend Department Chair and Division meetings
7. Investigate and mediate student complaints, except those involving discrimination or sexual harassment
8. Maintain regular office hours as Department Chair
9. Provide guidance to faculty on academic matters (grading, performance standards, etc.)
10. Provide minutes and/or information to the department members from Division and Chairs and Directors meetings
11. Advocate for the department.█

12.6.4 Evaluation

1. **Serve on Participate in** faculty evaluations **committees,** as appropriate
2. Work with the TERB Coordinator in identifying part-time faculty who are due for evaluation per the timeline in Article 17.█
3. Provide input for the evaluations of staff assigned to the department
4. Select designees to serve on evaluation committees for full-time faculty as described in Article 17.█

5. Coordinate part-time faculty evaluations and ensure the completion of these evaluations by the deadline prescribed in the TERB calendar.
6. Complete the Department Chair form for part-time faculty evaluations and write the Department Chair's letter for probationary faculty in the department.
7. Provide or facilitate the provision of required documentation to Deans as outlined in Article 17

12.6.5 Planning

1. Prepare and monitor department short-range and long-range plans, in conjunction with department/program
2. Monitor the departmental progress regarding implementation of the plans

12.6.6 Scheduling

1. Produce accurate and timely class schedule recommendations that meet student learning needs
2. Use assigned rooms efficiently
3. Ensure that classes are assigned according to established department procedures and according to the guidelines outlined in Article 20.

12.6.7 Staffing

1. Participate in interview(s) and recommend hiring of classified staff assigned to the department
2. Recruit and coordinate the hiring of full-time faculty
3. Identify a mentor for all new full-time faculty
4. Facilitate orientation of new full-time and part-time faculty
5. Connect new part-time faculty with the Faculty Senate Part-Time Faculty Mentor Program
6. Coordinate the selection, training, and continued employment of part-time faculty
7. Facilitate Professional Development opportunities for staff

12.6.8 Responsibilities

1. Coordinate student placement sites
2. Prepare for special accreditation
3. Monitor professional certifications

4. Coordinate safety and hazardous materials issues with District staff
5. Coordinate marketing of department programs, courses, and certificates with District staff
6. Participate in new or relevant trainings related to execution of Department Chair duties when necessary
7. Other related duties as assigned by Dean or Vice President

*The Department Chair and Assistant Chair(s) of the Nursing Education Department will need to meet the requirements in Article 3 sections 1424 and 1425 of the California Board of Registered Nursing regulations. The department will define the word "supervision" as written in Section 1425 (i) as leadership.

12.6.9 Summer Duties (for the time period between Commencement and Plenary) and Winter Duties (for the time period between January 2 and the start of Spring semester)

Chairs shall be promptly available during the summer, winter intersession, and on non-instructional days by phone and email. If this is not possible, the Chair shall notify their Dean and appoint a designee to act on his/her/their behalf.

- 1) Be available via email or phone to faculty in the department teaching winter intersession, spring intersession or summer classes.
- 2) Be available via email or phone to the Division Dean to discuss class enrollments and/or cancellations.
- 3) Be available to hire part-time faculty in emergent or time-sensitive situations to ensure all spring and fall classes are staffed.
- 4) Be available to address student and faculty complaints and/or issues.

12.6.9.1 ~~Any other~~ Other than the duties outlined in 12.6.9, all Department Chair duties as outlined in 12.6 will be conducted during the contract year (regular fall and spring semesters) or compensated via NOHE.

12.6.9.2 A Department Chair will receive a summer stipend, paid on an NOHE in July and August, as part of the calendar year stipend amount.

12.7 A Department Chairs and assigned time positions listed in 12.8 will receive a stipend, in addition to the release time outlined in 12.8, compensated at Step 25 Grade

~~E Step 25 at the non-instructional rate for 100 hours per calendar year.~~ The payment for the “Calendar Year Stipend Amount” shall be issued in twelve (12) monthly payments. an extra stipend for the assignment of Department Chair in addition to the assigned time using the following schedule based upon the assigned time:

Academic Year Assigned Time	Calendar Year Stipend Amount
40%	\$7,590.84 \$7,975.66
60%	\$8,281.39 \$8,701.26
80%	\$9,154.70 \$9,618.84

Beginning Fall 2022 Department Chairs will be compensated with a stipend at \$9,618.84 annually (12 months). Compensation will be paid on the last working day of the month and will be as follows:

11 Month Faculty: 12 equal monthly payments (July – June)

10 Month Faculty: Fall/Spring a total of \$8,015.70 paid in 10 equal monthly payments (August – May)

Summer a total of \$1,603.14 paid in 2 equal monthly payments (June and July)

All on-schedule percent increases applied to faculty wages shall be applied to the Department Chair stipend as reflected in the table above.

12.8 ~~The payment for the “Calendar Year Stipend Amount” scheduled above shall be issued in twelve (12) monthly payments.~~ A Department Chair will be granted assigned time to perform the required duties of the position throughout the academic year. The amount of assigned time for Department Chairs ~~(excluding the departments listed below under 12.8.1)~~ is ~~determined using the following formula: 80%, 60%, or 40%.~~

~~Baseline assigned time for all department chairs: 40%~~

~~For each of the following items (1-4) that is true, add 20% to the base assigned time for department chairs (up to a maximum of 80% total assigned time):~~

~~1. Multidisciplinary/substantial non-credit offerings~~

~~2. Large size: Full-time faculty ><15 faculty and/or part-time faculty >=25 faculty **10 FTEF – assigned time shall be 60%**~~

~~3. Extra-large size: Full time faculty >=25 **15** faculty – assigned time shall be 80% and/or part-time faculty >35 faculty~~

~~4. Other significant responsibilities such as:~~

~~Registration of students~~

~~Management of facilities at multiple sites~~

~~Assessment~~

~~Matriculation from non-credit to credit~~

No Department Chair will receive more than 80% assigned time in compensation for the duties of the Department Chair.

The Instruction Office will determine the amount of assigned time for each Department Chair utilizing the criteria above below. The amount of the assigned time may be adjusted once annually every two years (even years) on August 1, and shall continue at that level through July 31 of the following calendar year. The expected amount of assigned time for any Department Chair will be made known prior to the election of the chair with the understanding that any adjustment made due to changes in the department ratios affecting how the above formula is applied may alter the assigned time as above. If the Department Chair wishes to contest the amount of assigned time, he/she they may appeal to the Vice President of their respective area, whose decision will be final for that school year.

12.8.1 Department Chair Release Time Affected By Special Considerations

The following departments have special considerations that impact department chair release time and do not use the formula outlined above.

- Art (multiple disciplines with faculty labs)
- English as a Second Language (multiple sites, credit and noncredit programs)
- Emergency Medical Education (outside accreditation, 11-month program)
- Fire Academy (outside accreditation)
- Nursing Education (outside accreditation)
- Performing Arts (extra production requirements)
- Trades and Industry (multiple disciplines with facility labs)
- World Languages (unit size of department courses)

The assigned time for the Department Chair of the Nursing Education Department will be 80%. The assigned time for two (2) Assistant Nursing Chairs will be twenty percent (20%) each. The assigned time for the World Languages Department Chair will be sixty-seven percent (67%). The assigned time for the Director of Dental Assisting will be 40%. The assigned time for the Director of the Fire Academy will be 60%. The Director for Emergency Medical Education shall be employed under an eleven-month contract and shall receive eighty percent (80%) reassigned time. No Department Chair will receive more than 80% assigned time in compensation for the duties of the Department Chair.

The amount of assigned time for a Department Chair will be determined each July 1 using the following criteria:

- 1) The number of full-time regular faculty (FTEF);
- 2) The number of overload FTEF and equivalent adjunct faculty FTEF (O/A); and
- 3) The number of classified employees assigned to the Department under the functional leadership of the Department Chair.

CONTRACT FTEF O/A	0 - 5.9	6 - 10.9	11 - 15.9	16 - 20.9	> 20.9
0 - 3.9	40	40	60	60	80
4 - 6.9	40	40	60	60	80
7 - 9.9	40	40	60	60	80
10 - 12.9	40	40	60	60	80
13 - 15.9	40	60	60	60	80
16 - 18.9	40	60	60	60	80
19 - 21.9	40	60	60	60	80
22 - 24.9	40	60	60	80	80
25 - 27.9	40	60	60	80	80
28 - 30.9	40	60	60	80	80
31 - 33.9	40	60	60	80	80
34 - 36.9	40	60	60	80	80
> 36.9	40	60	60	80	80

If the number of classified employees assigned to the department which must be supervised by the Department Chair is greater than 5.0 full-time equivalent, the amount of assigned time for the Department Chair calculated immediately above will be increased by 20. No Department Chair will receive more than 80% assigned time in compensation for the duties of the Department Chair.

Department	Chair/Director Assigned Time (can be shared)
American Indian Studies	60% 40%
Art	60%
Behavioral Sciences	80%
Biology	60%
Business Administration	60%
Chemistry	40%

Child Development & Education	60% 40%
Computer Science & Information Systems	60% 40%
Cooperative Education	40%
Counseling Services	80%
Dental Assisting	40%
Design & Manufacturing Technologies	60% 40%
Earth, Space & Environmental Sciences	60% 40%
Economics, History, Political Science	60%
Emergency Medical Education (11 month)	60% 40%
English, Humanities, & Reading	80%
English as a Second Language	80%
EOPS/CARE/CalWORKs/FYRST	40%
Ethnic Studies	60% 40%
Fire Academy	60%
Graphic Communications	60% 40%
Health & Kinesiology	60% 40%
Library	60%
Mathematics	80%
Media Studies	60% 40%
Nursing Education	80%
Performing Arts	60%
Physics & Engineering	60% 40%

Public Safety Programs	60% 40%
Speech Communications, Forensics, & ASL	60%
Trades & Industry	60%
World Languages	67%
Department	Assistant Chair Assigned Time (can be shared)
Athletics	20% 15% 20%
Nursing Education	40%
Program **Existing positions moved back to Appendix F	Program Coordinator Assigned Time (can be shared)
AODS	20%
Archaeology	20%
Cabinet & Furniture Technology	20%
ESL	Stipend, see Appendix F
Forensics	60%
Water Technology	20%
Women's Studies	20%

12.8.2 Discipline Specialists

Discipline specialists support the department chair in multidisciplinary departments with scheduling, hiring, evaluations, and program review as relevant.

Discipline specialists should use their 5 hours/week institutional responsibilities (as outlined in Article 4) for these duties. If a discipline specialist does requires more than 80 hours of work in a semester, then they shall request approval from the Chair and the Dean prior to commencing the extra work and fill out a time and effort report with their Dean to receive additional compensation.

12.9 Student Learning Outcomes and Assessment

The Chair or designee is responsible for leading and coordinating the department's Student Learning Outcome and Assessment (SLO) process and will act as the department's SLO Facilitator. Any designee in this role must be a full-time faculty member in the department. The Chair or designee shall perform the following duties each fall and spring semester in order to receive the facilitator stipend of \$1110.10 15 hours at the facilitator's non-instructional rate per semester. The SLO Facilitator is required to complete all of the following in order to receive the stipend:

- a. Participates in SLOAC training as requested by the SLOAC Coordinator
- b. Provides department and/or one-on-one SLOAC training to faculty each semester
- c. Coordinates the development and assessment of SLOs for all disciplines in the department
- d. Coordinates and ensures that the department's SLOAC data is entered and current each semester
- e. Ensures that the department meets the semester and annual goals and timelines established by the Learning Outcomes Council (LOC).
- f. Inputs data into the SLOAC management system each semester and runs the reports requested by the LOC /Curriculum Committee by the end of the third and fourteenth weeks of each semester.
- g. Participates in 2-4 annual auditing meetings with Dean, VPI, and/or SLO Coordinators.












DistrictCounterproposal1Article12 (FINAL)


Final Audit Report

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