

MEMORANDUM OF UNDERSTANDING

*By and Between*

SAN BERNARDINO COMMUNITY COLLEGE DISTRICT TEACHERS ASSOCIATION  
AND  
SAN BERNARDINO COMMUNITY COLLEGE DISTRICT

**Seniority**

This Memorandum of Understanding (“MOU”) is entered by and between the San Bernardino Community College District Teachers Association CTA/NEA (“Association”) and San Bernardino Community College District (“District”) collectively, “the parties.”

**WHEREAS**, District practice is that full-time contract and regular faculty are placed on a seniority list based on hire date (if multiple faculty have the same hire date, a lottery is done to place those faculty in order); and

**WHEREAS**, Article 13, Workload (section A,6,a) describes how the seniority list for part-time faculty shall be administered; and

**WHEREAS**, Full-time temporary faculty (e.g., those on temporary contract and/or hired through categorical funding) do not currently have contract language establishing their seniority;

**THEREFORE**, It is agreed that the following language shall be modified in Article 13 Workload:

Section A,6,a.

Current **contract and regular** full-time faculty shall not be included on the part-time (adjunct), temporary faculty seniority list, irrespective of whether the full-time faculty teaches overload or summer courses.

Retired full-time faculty shall start at the bottom of the seniority list in the event of rehire.

Full-time temporary faculty who transition to part-time (adjunct) employment shall be placed on the part-time seniority list according to most recent District hire date. **For instructional faculty, hire date is defined as the first day of the term in which the assignment begins. For non-instructional faculty, hire date is defined as the first day of work.** If multiple faculty in the same discipline and at the same ~~campus~~ <sup>college</sup> have the same hire date, a lottery will be conducted to determine the placement of these faculty on the seniority list. These faculty shall be notified as to the date of the lottery, and given the option of participating in the lottery or designating the CTA President or designee to draw on their behalf. In the event that a faculty member does not attend the lottery, the CTA President or designee shall draw on their behalf.


A, 7. Full-Time Faculty.


- a. Full-time contract and regular faculty are placed on a seniority list based on hire date. If multiple faculty have the same hire date, a lottery will be conducted to determine the placement of these faculty on the seniority list. These faculty shall be notified as to the date of the lottery, and given the option of participating in the lottery or designating the CTA President or designee to draw on their behalf. In the event that a faculty member does not attend the lottery, the CTA President or designee shall draw on their behalf.
- b. Full-time temporary faculty who transition to a tenure-track position (i.e., become contract faculty) shall be placed on this full-time seniority list based on their District hire date that corresponds to their first tenure-track year.

Section D. Overload Assignments

In assigning overload, the district shall ~~consider~~ offer overload to ~~the seniority of full-time unit members~~ ~~only~~ according to full-time seniority placement and prior to part-time faculty members. If full-time faculty decline overload assignments, then hours/classes shall be offered to part-time (adjunct) faculty according to the part-time seniority process described in Article 13, section A.6,b,iii.a.

This MOU shall be effective as of October 11, 2019. Following ratification by the membership, the changes and additions to Article 13 outlined above shall be added to the contract July 1, 2020.

**SBCCDTA**  
Date: 10/11/2019  
*Accepted*   
Presented by Sheri Lillard,  
SBCCDCTA Chief Negotiator

**SBCCD**  
Date: 10-11-19  
*Presented*   
Accepted by Kristina Hannon, Executive Director,  
Human Resources, SBCCD Chief Negotiator