

Policy Review 11/17
Admin
87470

COMMUNITY COLLEGES

(c) No authorization for service as a school nurse shall authorize teaching services unless the individual is qualified for faculty service pursuant to minimum qualifications established by the board of governors.

(d) A physician employed by a district to perform medical services on a halftime or greater than halftime basis shall hold a valid certificate to practice medicine and surgery issued by the State Board of Medical Examiners or the Board of Osteopathic Examiners. The qualifications for a physician employed for less than halftime shall be a valid certificate to practice medicine and surgery issued by the State Board of Medical Examiners. (Added by Stats.1990, c. 1372 (S.B.1854), § 704. Amended by Stats.1995, c. 758 (A.B.446), § 145.)

§ 87449. Tenure of instructor of classes for adults

When an instructor of classes for adults serves sufficient probationary time to be eligible for election to permanent classification in that district, his or her tenure shall be for service which is equivalent to the average number of hours per week which he or she has served during his or her probationary years. In no case shall such an employee be classified as permanent for more than one full-time assignment. The service for which such a person has acquired tenure may be reduced in conformity with Sections 87743 and 87744. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1978, c. 909, p. 2863, § 29; Stats.1990, c. 1302 (S.B.2298), § 63, eff. Sept. 25, 1990.)

§ 87451. Permanent classification of employees in day and evening school

Nothing in Section 87468 shall be construed to give regular classification to a person in the adult school who is already classified as a regular employee in the day school. In case an instructor obtains permanent classification in the evening school and later is eligible for the same classification in the day school by reason of having served the contract period therein, he or she shall be given a choice as to which classification he or she shall take.

Notwithstanding any other provision to the contrary, service in the evening school shall not be included in computing the service required as a prerequisite to attainment of, or eligibility to, classification as a regular employee in the day school, except service in the evening school rendered by a person rendering services in the day school who is directed or specifically requested by the community college district to render services in the evening school either in addition to, or instead of, rendering service in the day school. Service in the day school shall not be included in computing the service required as a prerequisite to attainment of, or eligibility to, classification as a regular employee in the evening school, except service in the day school rendered by a person rendering services in the evening school who is directed or specifically requested by the community college district to render service in the day school either in addition to, or instead of, rendering service in the evening school. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1995, c. 758 (A.B.446), § 146.)

§ 87453. Effect of insufficient funds on permanent employee

No regular employee of a community college district shall be dismissed without his or her consent or deprived of his or her classification as a regular employee of the district when the district does not have sufficient funds to pay his salary. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1995, c. 758 (A.B.446), § 147.)

§ 87454. Classroom instructors; retention of classification upon assignment to administrative, supervisory, or other position or to other work

A tenured employee, when assigned from a faculty position to an educational administrative position, or assigned any special or

other type of work, or given special classification or designation, shall retain his or her status as a tenured faculty member. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1981, c. 470, § 365; Stats.1988, c. 973, § 29; Stats.1990, c. 1302 (S.B.2298), § 64, eff. Sept. 25, 1990.)

§ 87457. Assignment of person in administrative position to faculty position; statement of reasons

Whenever a person employed in an administrative position is assigned to a faculty position, the governing board of the community college district shall give the employee, when requested by him or her, a written statement of the reasons for the transfer. (Stats.1976, c. 1010, § 2, operative April 30, 1977. Amended by Stats.1981, c. 470, p. 1792, § 368; Stats.1988, c. 973, § 32.)

§ 87458. Conditions under which persons previously employed as administrators may become first-year probationary faculty members

A person employed in an administrative position that is not part of the classified service, who has not previously acquired tenured status as a faculty member in the same district and who is not under contract in a program or project to perform services conducted under contract with public or private agencies, or in other categorically funded projects of indeterminate duration, shall have the right to become a first-year probationary faculty member once his or her administrative assignment expires or is terminated if all of the following apply:

(a) The process by which the governing board reaches the determination shall be developed and agreed upon jointly by representatives of the governing board and the academic senate, and approved by the governing board. The agreed upon process shall include reasonable procedures to ensure that the governing board relies primarily upon the advice and judgment of the academic senate to determine that the administrator possesses the minimum qualifications for employment as a faculty member. The process shall further require that the governing board provide the academic senate with an opportunity to present its views to the governing board before the board makes a determination and that the written record of the decision, including the views of the academic senate, shall be available for review pursuant to Section 87358.

(b) Until a joint agreement is reached pursuant to subdivision (a), the district process in existence on January 1, 1989, shall remain in effect.

(c) The administrator has completed at least two years of satisfactory service, including any time previously served as a faculty member, in the district.

(d) The termination of the administrative assignment is for any reason other than dismissal for cause.

(e) This section shall apply to every educational administrator whose first day of paid service in the district as a faculty member or an administrator is on or after July 1, 1990. (Added by Stats.1988, c. 973, § 34. Amended by Stats.1990, c. 1302 (S.B.2298), § 65; Stats.2001, c. 144 (S.B.838), § 1.)

§ 87458.1. Permanent classification as classroom instructor; administrative or supervisory positions; certification qualifications upon completion of probationary period; application

(a) A person employed in an administrative or supervisory position requiring certification qualifications upon completing a probationary period, including any time served as a classroom instructor, in the same district, shall be classified as and become a regular employee as a classroom instructor.

(b) This section shall only apply to persons whose first day of paid service in the district without a break in service precedes July

Ancillary Activities

60% Rule

Academic Administration

75/25 Rule