

**AP 7240-8 Management Employees – Academic Management
Employee Retreat Rights; Classified Management
Employee Layoff and Bumping Rights**

**1.0 Reassignment Right of Academic Management Employee (Educational
Administrator) to Faculty Position Upon Termination of Administrative Assignment**

1.1 Tenured Academic Management Employee

1.1.1 An academic management employee whose administrative assignment is terminated and who has acquired faculty tenure within the District shall have the right to be reassigned to a regular faculty position, provided the reason for the termination of the administrative assignment is other than dismissal for cause pursuant to Education Code section 87732.

1.1.2 Reassignment to a regular faculty position and salary placement upon reassignment shall be in accordance with the provisions of section 1.3 of this procedure.

1.2 Nontenured Academic Management Employee

1.2.1 An academic management employee whose administrative assignment is terminated and who does not have faculty tenure within the District shall have the right to be reassigned to a first-year probationary faculty position, subject to the following:

1.2.1.1 The reason for the termination of the administrative assignment is other than dismissal for cause pursuant to Education Code section 87732.

1.2.1.2 The administrative position from which the management employee is being reassigned is an educational administrative position as defined by Education Code and is not part of the classified service.

1.2.1.3 The management employee has completed at least two years of satisfactory service within the District, including any prior service as a tenure-track faculty member.

1.2.2 Reassignment to a first-year probationary faculty position and salary placement upon reassignment shall be in accordance with the provisions of section 1.3 of this procedure.

1.2.3 An academic management employee who is assigned to a first-year probationary faculty position shall be subject to the provisions of the tenure review process as specified in the Collective Bargaining Agreement between the District and the United Faculty.

1.3. Procedure for Reassignment

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1.3.1 Minimum Qualifications

An academic management employee may be reassigned as a faculty member only in a discipline for which the employee possesses the minimum qualifications, as specified in the list of disciplines as adopted by the Board of Governors of the California Community Colleges, and other such qualifications as may be required in accordance with the collective bargaining agreement between the District and the United Faculty. This determination shall be consistent with the provisions of Administrative Procedure 7210-1, Equivalency, and the faculty collective bargaining agreement.

1.3.2 Configuration of Assignment

1.3.2.1 When an academic management employee is reassigned to a faculty position, a reasonable attempt shall be made to configure a full-time assignment at a single college or within North Orange Continuing Education.

1.3.2.1.1 The existence of a full-time assignment shall be determined by the President/Provost, in consultation with the Academic Senate, based on the following:

1.3.2.1.1.1 The existence of faculty assignments in a discipline or disciplines currently filled by temporary faculty and/or full-time faculty overload assignments sufficient to constitute an additional full-time assignment.

1.3.2.1.1.2 Evidence of growth in a discipline or disciplines sufficient to warrant additional full-time staffing.

1.3.2.1.2 If more than one college and/or North Orange Continuing Education is able to configure a full-time assignment, then:

1.3.2.1.2.1 The academic management employee shall be assigned to the location of previous service, except as otherwise determined by mutual agreement of the academic management employee and the President/Provost of the alternative location.

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1.3.2.1.2.2 If the academic management employee has no previous service at a college or North Orange Continuing Education, and mutual agreement between the Presidents/Provost of the alternative locations cannot be reached regarding the location of reassignment, the Chancellor shall make the determination.

1.3.2.2 Where a full-time assignment cannot be identified at a single college or within North Orange Continuing Education, a reasonable attempt shall be made to configure a full-time assignment at multiple locations as determined by the Chancellor.

1.3.3 Seniority Rights

1.3.3.1 Any reassignment of an academic management employee pursuant to these provisions shall not cause the layoff or involuntary reassignment of a tenured faculty member.

1.3.3.2 Where the academic management employee is entitled to bumping rights by virtue of seniority or faculty service credit that would cause the layoff or involuntary reassignment of a contract (probationary) faculty member, such rights may be pursued only after an exhaustive attempt has been made to configure position from assignments currently filled by temporary faculty and/or full-time faculty overload assignments.

1.3.4 Salary Placement

1.3.4.1 An academic management employee who is reassigned to a faculty position shall be compensated in accordance with the Regular and Contract Faculty Salary Schedule.

1.3.4.2 For purposes of initial salary step placement upon reassignment, the following shall be counted:

1.3.4.2.1 Previous experience as an academic employee, including teaching, student services, administrative, or other service requiring minimum qualifications and related work experience, up to the maximum number of years of credit allowed by the provisions of the collective bargaining agreement in effect at the time of reassignment.

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1.3.4.2.2 Any years of employment with the District as an academic management employee or as a regular or contract (probationary) faculty employee.

1.4 Review and Revision: This procedure is subject to review and revision at the request of any senate, the District Management Association, or the Board of Trustees. Modifications shall require mutual agreement of the senates, District Management Association, and the Board. Until mutual agreement is reached regarding any proposed changes, these provisions shall remain in effect.

2.0 Classified Management Employee Layoff and Bumping Rights

2.1 Layoff

2.1.1 Layoff of classified management employees shall occur only for lack of work or lack of funds. Any layoff shall be affected within a classification within the classified management series.

2.1.2 The order of layoff shall be based on seniority within the classification and higher classified management classifications. A classified management employee with the least seniority within the classification plus higher classifications shall be laid off first.

2.1.3 Seniority shall be based on the number of hours an employee has been in paid status in the classification plus higher classified management classifications.

2.2 Bumping Rights

2.2.1 A classified management employee who is laid off from the employee's present classification may bump into a classified management position in the same classification, providing the laid-off employee's seniority within the classification plus higher classifications is greater than the seniority of the employee holding employment in the classification.

2.2.2 If there is no classified management position in the same classification, the employee may bump into a classified management position in an equal classification in which the employee has previously served, providing the laid-off employee's seniority within the equal classification plus higher classifications is greater than the seniority of the employee holding employment in the equal classification. For purposes of this provision, "equal classification" means a classified management position at the same salary range as the position from which the employee is laid off.

2.2.3 If there is no classified management position in an equal classification in which the employee has previously served or has greater seniority, then the employee may bump into a classified management position in the next

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lower classification in which the employee has previously served, providing the laid-off employee's seniority within the lower classification plus higher classifications is greater than the seniority of the employee holding employment in the lower classification. For purposes of this provision, "lower classification" means a classified management position at a lower salary range than the position from which the employee is laid off.

- 2.2.4 In the event the classified management employee is unable to bump into a classified management position as provided above, and the employee has previously held a confidential or classified bargaining unit position within the District, the employee may bump into the highest confidential or classified bargaining unit classification in which the employee has previously served, provided the classified management employee's seniority in the confidential or bargaining unit classification plus higher classifications, including classified management classifications, is greater than the seniority of the employee holding employment in the confidential or bargaining unit classification.

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