

District Counter #3 to AFT Counter #2
April 25, 2025

***NEW ARTICLE* ##: IMPACTS AND EFFECTS OF DUAL ENROLLMENT AND OFF-CAMPUS ASSIGNMENTS RELATED TO THE DISTRICT'S COLLEGE AND CAREER ACCESS PATHWAYS ("CCAP") PARTNERSHIPS**

- ##.1** ~~Unless needed to fulfill a full-time load, dual enrollment assignments will be initially offered to adjunct faculty who have requested them (per 19.2.7), and then to full-time faculty who requested a dual enrollment assignment (per 26.1.1).~~

~~Dual enrollment courses shall first be offered to full-time SMCCCD faculty and SMCCCD part-time faculty who are currently teaching or on the seniority list in the District following regular assignment procedures outlined in the CBA, including but not limited to Articles 6, 8, 12, 19, and 26. Full-time SMCCCD faculty and current SMCCCD part-time faculty have the right of first refusal for any SMCCCD courses taught at local high schools. Assignment offers must be made in accordance with this contract.~~

- ##.2** ~~College courses taught at a high school for which high school students will receive both college and high school credit can only be taught by instructors who hold a valid California single-subject teaching credential.~~

##.2.1 ~~If no current SMCCCD faculty member with appropriate credentials is available wants to teach a dual enrollment course, then SMCCCD will follow the regular guidelines and/or procedures for hiring and/or selecting an instructor.~~

##.2.2 If the instructor selected is not a teacher at the high school in question, SMCCCD will employ them as a part-time faculty member.

- ~~**##.1** This Article shall be the complete settlement of all issues, impacts and effects relating to the District entering into College and Career Access Pathways ("CCAP") agreements and the implementation of dual enrollment assignments pursuant to those CCAP agreements.~~

##.2.3 If the instructor selected is a teacher at the high school in question, they will continue to be employed by the high school. ~~The instructor must have Minimum Qualifications in the discipline. High school teachers teaching~~

~~SMCCCD courses as part of dual enrollment programs shall be evaluated by SMCCCD tenured faculty in that discipline according to SMCCCD adjunct faculty evaluation procedures. Dual enrollment instruction will comply with Education Code and Title 5 laws and regulations. These teachers will not be employed as adjunct faculty or entered on SMCCCD seniority lists. Dual enrollment instruction will comply with Education Code and Title 5 laws and regulations.~~

~~##.2~~ The District's assignment of dual enrollment assignments to current part-time and/or full-time faculty members are also governed by other Articles in the Collective Bargaining Agreement (CBA), including but not limited to Articles 6, 8, 12, 19, and 26. ~~[Note: this language was moved to/ reflected in #1, above.]~~

##.3 Additional Duties and Time Compensation for Dual Enrollment Assignments

~~##.3.1~~ Faculty shall not be obligated to perform any duties that are not included in Appendix D, or to work on days that are outside the SMCCCD Academic Calendar.

~~##.3.1~~ Adjunct or full-time faculty teaching under dual enrollment assignments shall generally have only the duties and responsibilities as faculty assigned to District on-campus locations as set forth in Appendix D. Duties that are specific to the dual enrollment assignment or off-campus location, as well as their corresponding schedule and required time commitment, must be disclosed in writing to the faculty member in advance to the extent practical. at the time the offer of off-campus dual enrollment assignment is made. Faculty performing the duties as set forth in Appendix D for their dual enrollment assignments shall be paid at the applicable appropriate rate on their applicable salary schedule.

~~##.3.3~~ When unanticipated duties arise after acceptance of the assignment, the faculty member may choose to perform said duties, but is under no obligation to do so.

~~##.3.2~~ Faculty shall not be obligated to perform any duties that are not included in Appendix D, or to work on days that are outside the SMCCCD Academic Calendar. Faculty members shall be informed who their responsible District administrator is at the time of the assignment. If the an adjunct or full-time faculty member chooses to perform is assigned by their Dean or

~~responsible District administrator to perform, and agrees to perform,~~
~~any additional duties specific to the dual enrollment assignment that~~
~~are duties not included in Appendix D, or to work on days that are outside~~
~~the SMCCCD Academic Calendar, they shall be paid as specified in~~
~~##.4.3 at their applicable appropriate special rate on their applicable~~
~~salary schedule (OL or AJ). SMCCCD faculty receive their assignment~~
~~from their SMCCCD Dean or responsible District administrator., not~~
~~high school employees, and are not obligated to perform duties~~
~~purportedly assigned by high school employees.~~

Some examples of these assigned duties include, but are not limited to:

- A. Workdays outside the SMCCCD Academic Calendar, if it results in net additional workdays beyond contractual obligations;
- B. Orientation, **Professional Development**, and training specific to dual enrollment;
- ~~C. Opening, setting up, and closing of the off-campus facility;~~
- D. Meetings at the off-campus site, such as department meetings, back-to-school events, parent-teacher conferences, or liaising with faculty and administrators at the host institution in a dual enrollment program;
- ~~E. Reviewing Individualized Education Programs (IEPs) and 504 plans; and modifying curriculum to ensure it is accessible to all students;~~
- ~~F. Assessing students for readiness to enroll in college-level courses;~~
- ~~G. Communicating with parents and families via phone, email, or other means, which requires that a FERPA waiver is executed prior to said communication;~~
- H. High-school specific reporting requirements.

~~##.3.3 If the an adjunct or full-time faculty member is assigned by their Dean or responsible District administrator to work on days outside of their contracted work year with the District for purposes of the dual enrollment assignment, they shall be paid at their applicable rate on their applicable salary schedule for hours spent on the duties (e.g., they will be paid at the applicable rate for instructional duties and will be paid at the special rate for non-instructional duties on the appropriate schedule OL, HC, HB or AJ).~~

##.4 Compensation and Reimbursement

##.3.34.1 Each **adjunct or full-time** faculty member assigned to a **dual enrollment assignment at an off-campus location** **will** ~~can choose~~
~~between transportation options in ##.3.4(A) & (B), below, whether they~~
receive mileage reimbursement or District-provided transport for

~~requisite commuting.~~ This applies to for transportation between a faculty member's primary college worksite and ~~from the off-campus worksite for the dual enrollment assignment.~~ between off-campus worksites, and from an off-campus worksite back to their primary college worksite. For such required commuting by faculty assigned to off-campus locations for dual enrollment assignments, the District will provide either:

A. ~~per-mile reimbursement at the current IRS rate for the faculty member's use of their own vehicle to transport themselves.; or~~

B. ~~District provided transportation or pre-paid cards/passes/vouchers for other forms of transportation (for example, public transportation, taxis, District shuttle, etc.). If the time spent in transit using public transportation and/or District shuttle would be more than double the driving time between the two worksites, the faculty member may select a private taxi option and shall be reimbursed for said cost.~~

~~##.4.2. When traveling between home and an off-campus worksite, faculty are entitled to payment for commute time and reimbursement for mileage in excess of the faculty's normal commute time between their home and primary worksite as provided by federal and state law. Adjunct or full-time faculty are not entitled to reimbursement for any mileage from home to the first assignment of the day or for the trip home from the last assignment of the day except for said excess mileage.~~

~~##.4.3 For faculty assigned to off-campus locations, the District shall provide payment at the lecture special applicable pay rate for time spent commuting as outlined in ##.4.2. in transit from the primary college worksite to the off-campus worksite, between off-campus worksites, and from an off-campus worksite back to their primary college worksite.~~

~~##.4.3 Faculty shall be paid at the lecture rate for actual hours spent on the duties discussed in ##.3.2, ##.3.3 and ##.3.4.~~

~~##.4.4 Faculty who choose to attend Professional Development programs at the high school, or participate in trainings relevant to teaching high school students, shall be paid at the lecture rate for actual hours attended. Professional Development in this section is separate and distinct from Flex Day Obligations described in § 7.11.~~