



BP 7215 PROBATIONARY CONTRACT (TENURE-TRACK) FACULTY

References:

Education Code Sections 87600 et seq.

First Academic Year Probationary Contract (Tenure-Track) Faculty

The District shall employ a probationary contract (tenure-track) faculty member for the first academic year of his/her employment by contract. Pursuant to Education Code Section 87605, any person who, at the time an employment contract is offered to him/her by the District, is neither a tenured faculty member of the District nor a probationary faculty member then serving under a second or third contract shall be deemed to be employed for "the first academic year of his/her employment."

A faculty member shall be deemed to have completed his/her first contract year if he/she provides service for 75 percent of the first academic year.

Continued Employment of Probationary Contract (Tenure-Track) Faculty

Before making a decision relating to the continued employment of a probationary contract (tenure-track) faculty member, the following requirements shall be satisfied:

- The faculty member shall be evaluated consistent with the evaluation standards and procedures established in accordance with law. The Academic Senate oversees the evaluation process for contract faculty.
- The Superintendent/President shall receive statements of the most recent evaluations.
- The Board of Trustees shall receive recommendations of the Superintendent/President to advance probationary contract faculty toward tenure status.
- The Board of Trustees shall receive the recommendations of the Superintendent/President in a meeting of the Board.

Pursuant to Education Code Section 87608, if a contract faculty member is working under his/her first contract, the Board, at its discretion, shall elect one of the following alternatives:

- Enter into a contract for the following academic year.
- Not enter into a contract for the following academic year.
- Employ the contract faculty member as a regular faculty member for all subsequent academic years.

Pursuant to Education Code Section 87608.5, if a contract faculty member is working under his/her second contract, the Board, at its discretion, shall elect one of the following alternatives:

- Enter into a contract for the following two academic years.



- Not enter into a contract for the following academic year. However, before this can occur, the Board must have done all of the following:
 - a. Received the most recent evaluation.
 - b. Received a written recommendation from the Superintendent/President.
 - c. Taken action at a regular meeting of the Board.
 - d. Given written notice of its decision and the reason(s) not to offer a contract for the third and fourth years to the faculty member on or before March 15 of the academic year covered by the existing contract (Education Code Section 87610).
 - e. Informed the faculty member of his/her right to file a grievance regarding the second year probationary evaluation process (Education Code Section 87610.1)
- Employ the contract faculty member as a regular faculty member for all subsequent academic years.

If a contract faculty member is employed under his/her third consecutive contract, the Board shall elect one of the following alternatives:

- Employ the probationary faculty member as a tenured faculty member for all subsequent academic years.
- Not employ the probationary faculty member as a tenured faculty member. However, before this can occur, the Board must have done all of the following:
 - a. Received the most recent evaluation.
 - b. Received a written recommendation from the Superintendent/President.
 - c. Taken action at a regular meeting of the Board.
 - d. Given written notice of its decision and the reason(s) not to offer a contract for the third and fourth years to the faculty member on or before March 15 of the academic year covered by the existing contract (Education Code Section 87610).
 - e. Informed the faculty member of his/her right to file a grievance regarding the second year probationary evaluation process (Education Code Section 87610.1)

The Board of Trustees shall give written notice of its decision and the reasons therefore to the faculty member on or before March 15 of the academic year covered by the existing contract. The notice shall be by registered or certified mail to the most recent address on file with Human Resources. Failure to give the notice as required to a contract faculty member under his/her first or second contract shall be deemed an extension of the existing contract without change for the following academic year.

The Board of Trustees shall give written notice of its decision under Education Code Section 87609 and the reasons therefore to the faculty member on or before March 15 of the last academic year covered by the existing contract. The notice shall be by registered or certified mail to the most recent address on file with Human Resources. Failure to give the notice as required to a contract faculty member under his/her third consecutive contract shall be deemed a decision to employ him/her as a regular faculty member for all subsequent academic years.



Also see BP/AP 7216 Faculty Grievances and AP 7151 Evaluation of Faculty.

Adopted: February 25, 2016
(Replaces current SBCC BP 1700)