

**MEMORANDUM OF UNDERSTANDING
BETWEEN
LOS RIOS COMMUNITY COLLEGE DISTRICT
AND
LOS RIOS COLLEGE FEDERATION OF TEACHERS LOCAL 2279**

July 1, 2008

Background

In December 2003, the District and LRCFT agreed to a pilot program regarding faculty authors and/or publishers. That pilot program, effective from January 15, 2004, through June 30, 2005, was extended via MOU #6 (attached) for the 2005-2008 collective bargaining agreement, and was then subject to negotiation for possible inclusion in the 2008-11 LRCFT collective bargaining agreement. In error, the pilot program was omitted from negotiations and, therefore, not included in the 2008-11 contract. Unfortunately, no one participated in the pilot program during either contract cycle. The parties agree that incorporating the language into the 2008-11 contract without a trial period would not meet the interests of either party.

Agreement

The parties agree to extend the pilot program through June 30, 2011.

Pilot Program

Background and Intent

The responsibility for course material selection and adoption rests with the teaching faculty. In the past, the process has varied among the colleges and even within the colleges. While this relatively unstructured approach has worked well, developments in the technology of course materials suggest the need for greater uniformity. The process described herein addresses required course materials, only. This process does not apply to:

- 1) faculty developed materials that are placed in the bookstore for distribution at cost;
- 2) faculty-authored materials that are printed and distributed through a traditional publishing house; or
- 3) optional materials. (It is the faculty member's responsibility to clearly distinguish between required and optional materials.)

Modern computer technology allows a faculty member to be both an author and a publisher. It is becoming increasingly easy to produce substantial and high quality instructional materials without the involvement of a traditional publishing company. In the past, publishers influenced, and to some degree regulated, both the quality of materials and the pricing. If a traditional publisher is not involved, it is necessary for the District and faculty to become more involved in course material selection.

Most important, this process is intended to encourage the development of course materials that will best serve students. This is accomplished by ensuring that the materials are both high quality and reasonably priced. However, to encourage innovation, faculty authors are

entitled to receive a reasonable compensation for their efforts. The District also has an independent interest in ensuring that its bookstores remain viable entities. In addition to serving as a convenient source of student supplies, bookstore revenues are an important resource for the District.

Adoption Process

To facilitate this activity, the following adoption process has been established. Before beginning work on development of course materials of this type, it would be appropriate for faculty members to have an initial discussion with their deans and department chairs. At that time, the faculty member can be introduced to the adoption process. By becoming familiar with the process at an early stage, the faculty member may experience greater ease of adoption when the course materials are completed.

If a faculty member (hereafter known as the faculty author) plans to develop, self publish, and then require students to purchase these materials, the faculty author shall notify the dean. The dean shall establish a Course Materials Committee composed of at least three members, including the dean, the department chair and at least one faculty member with subject matter expertise, to review course materials covered by this process. The committee may include members from outside the College or the District. The Academic Senate and the Dean shall cooperate in committee selection.

It shall be the faculty author's responsibility to provide materials upon which the committee can base its decision including comparable course materials and other relevant evidence. All materials must be submitted at least sixty calendar days prior to the beginning of the class for which the course materials will be used. The committee may review additional information or seek an outside opinion. The committee shall accept the course materials submitted by the faculty author if:

- 1) the materials serve the course adequately;
- 2) the reading level and level of abstraction is appropriate; and
- 3) the quality is comparable to commercially available material.

If the committee finds that course materials do not meet all of the criteria, the committee shall provide its reasons in writing to the faculty author. The faculty author may change and resubmit the course materials to address the comments of the committee. There shall be no right of appeal.

Pricing and Distribution

The faculty author, bookstore manager and the dean will work together to establish an appropriate price and distribution method. Consideration will be given to the faculty author's costs of production. The cost to students for the course materials shall be no more than fifty percent (50%) of the cost to students of comparable course materials available from traditional commercial sources. The bookstore shall retain fifty percent (50%) of the sales price for services rendered. The course materials shall be available at the appropriate Los Rios college bookstore(s), but shall not be available exclusively from the District. For example, the course materials may be sold by a non-District bookstore or through an on-line source. While recognizing that the faculty author has little or no control over pricing outside the district, where possible the faculty author should attempt to ensure that the course materials sold outside the district should not be priced below the College bookstore price. Course materials shall not be available at a District location other than the bookstore, such as a classroom, area office or faculty office.

Previously accepted faculty authored course materials will not need to be resubmitted for approval in successive semesters unless:

- 1) the course curriculum has changed substantially since approval;
- 2) the faculty authored course materials have changed substantially since approval; or
- 3) items of concern have been raised regarding the faculty authored course materials and in the opinion of the faculty author a review is warranted.

Ownership

Ownership shall be vested in the faculty author unless other arrangements have been made as determined pursuant to the provisions of the collective bargaining agreement between the District and LRCFT.

Accounting


The faculty author shall receive an accounting of materials sold within thirty days of the end of the semester in which the approved faculty authored course materials were sold. The faculty author will receive a check from the District for his/her compensation within sixty days of the end of that same semester. At the end of each calendar year, the District will provide the faculty author with required tax documents regarding this compensation. No additional charges will be levied by the District for this service.

Attachment

LOS RIOS COMMUNITY
COLLEGE DISTRICT



Jon Sharpe, Deputy Chancellor




Ann Aaker, Associate Vice Chancellor
Human Resources

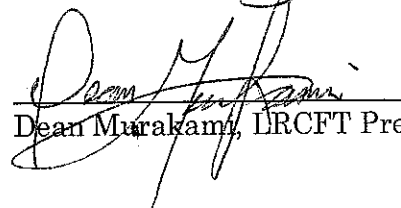
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FEDERATION OF TEACHERS



KC Boylan, Lead Negotiator



Dean Murakami, LRCFT President

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